

**IN THE JUDICIAL COURT, SECOND JUDICIAL CIRCUIT,
IN AN FOR LEON COUNTY, FLORIDA**

**LAW OFFICES OF STEVEN
R. ANDREWS, P.A.,**

Petitioner,

vs.

CASE NO:

EXECUTIVE OFFICE OF THE GOVERNOR,

Respondent.

PETITION FOR WRIT OF MANDAMUS

COMES NOW Petitioner, LAW OFFICES OF STEVEN R. ANDREWS, P.A. (“Andrews”), pursuant to Art. I § 24 Fla. Const.; §119.07, et. seq., Fla. Stat. and Rule 1.630, Fla. R. Civ. P., and sues Respondent, EXECUTIVE OFFICE OF THE GOVERNOR (“EOG”), for a Writ of Mandamus and for issuance of Alternative Writ of Mandamus/Order to Show Cause for relief and as grounds therefore would allege:

Jurisdictional Allegations

1. Petitioner, Andrews, is a law office located in the State of Florida that conducts business in Leon County, Florida and maintains its principal place of business in Leon County, Florida. Petitioner made a public record request to Respondent, EOG, on or about July 31, 2018, a copy of which is attached hereto as **Exhibit 1**.

2. Respondent, the entity that this public records request was directed to, are agencies and entities pursuant to Chapter 119, the Florida Public Records Act, and is subject to Florida Statute 119 and maintains public records defined therein. Florida Statute 119.011(12) defines “public records” **to include:** all documents, papers, letters, maps, books, tapes,

photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. See Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc., 379 So. 2d 633, 640 (Fla. 1980). See also Wait v. Florida Power & Light Company, 372 So.2d 420 (Fla. 1979); Art. I, s. 24, Fla. Const.

3. The fact that the records are part of a preliminary process does not remove them from the definition of “public record.” When material falls within the statutory definition of “public record” in s. 119.011(12), F.S., and has been prepared to “perpetuate, communicate or formalize knowledge, the record is subject to disclosure even if the agency believes that release of the non-final product could be detrimental. See, e.g., Gannett Corporation, Inc. v. Goldtrap, 302 So.2d 174 (Fla. 2d DCA 1974) (county’s concern that premature disclosure of a report could be harmful to the county does not make the document confidential). Cf. Grapski v. City of Alachua, 31 So. 3d 193 (Fla. 1st DCA 2010).

4. This Court has jurisdiction and venue is appropriate in Leon County because the Respondent maintain its offices in Leon County and by Florida Statute can be sued in Miami-Dade County.

COUNT I
PETITION FOR WRIT OF MANDAMUS

5. Petitioner restates and re-alleges paragraphs 1 through 4 above. Each of these paragraphs incorporated herein contain factual allegations which are relevant to the relief being sought in this Court.

6. This is an action for a Writ of Mandamus and for the issuance of an Alternative Writ of Mandamus/Order to Show Cause, an accelerated hearing, and relief pursuant to Florida Rule of Civil Procedure 1.630.

7. The Petition for Writ of Mandamus and for issuance of Alternative Writ of Mandamus is pursuant to Article V, Section 5(v) of the Florida Constitution and Rule 1.630, Florida Rules of Civil Procedure; and this Court has jurisdiction over the relief requested by the Petitioner pursuant to Florida Statute 119.

8. Respondent, EOG, has failed to provide Petitioner access to public records as required by Chapter 119, Florida Statutes. Public records are defined to include:

“...all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Fla. Stat. Section 119.011(12) (2013).

PUBLIC RECORDS REQUEST

9. On or about July 31, 2018, Petitioner requested certain public records from the EOG. See attached Public Records Request, attached as **Exhibit 1**. The Public Records Request was acknowledged by EOG on July 31, 2018. See **Exhibit 2**. The request at issue for the purpose of this petition contained in **Exhibit 1** are all of the individual requests, Request 1 through Request 33 of the attached Exhibit 1.

10. On September 7, 2018, Petitioner sent a letter to EOG requesting the public records within five days. See **Exhibit 3**. To date, Petitioner has not received a response or the public records.

11. Six (6) days have passed since Petitioner submitted its statutory notice requesting the records within five (5) days.

12. Respondent was notified that time was of the essence in the initial request because the requested records are needed for a pending case Division of Administrative Hearings that concludes on October 2, 2018. Despite the notice that time was of the essence, EOG has not

provided any information about the request generally until after receiving the statutory notice, and has provided no information specifically as to whether such request was being treated in an expedited fashion.

13. Petitioner has no other remedy but to file a Petition for Writ of Mandamus seeking an order compelling production of the public records responsive to its public records request. Petitioner seeks an expedited order requiring EOG to produce the responsive records before September 28, 2018.

14. Petitioner seeks an emergency accelerated hearing pursuant to Florida Statutes, Section 119.11.

WHEREFORE, Petitioner, Andrews, requests that this Honorable Court issue an Alternative Writ of Mandamus/Order to Show Cause commanding that the Respondent, Executive Office of the Governor, perform the following:

a. Executive Office of the Governor perform its ministerial duties by permitting the inspection and examination of the public records requested and for which Respondent, Executive Office of the Governor, has failed to produce and for which no exemption applies, and for which the Executive Office of the Governor has wrongfully denied that it had any responsive documents;

b. Executive Office of the Governor be ordered to show cause for the impermissible delay of the production of public records for more than a reasonable time, and ordered to show cause as to why it delayed providing any meaningful response regarding the request;

c. Petitioner receive its costs and attorneys' fees in prosecuting this claim and requesting responsive records which were wrongfully excluded or withheld be

immediately produced;

d. Petitioner receives such further relief as this Court deems proper.

DATED this 13th day of September, 2018.

Respectfully submitted,

The Law Offices of
STEVEN R. ANDREWS, P.A.
822 North Monroe Street
Tallahassee, Florida 32303
T: (850) 681-6416 / F: 681-6984

/s/ *Ryan J. Andrews*
STEVEN R. ANDREWS (FBN 0263680)
BRIAN O. FINNERTY (FBN 0094647)
bfinnerty@andrewslawoffice.com
RYAN J. ANDREWS (FBN 0104703)
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*822 North Monroe Street
Tallahassee, Florida 32303
Telephone (850) 681-6416
Facsimile (850) 681-6984*

July 31, 2018

Executive Office of the Governor
State of Florida
The Capitol PL-04
Tallahassee, FL 32399
scottpengov@eog.myflorida.com

Re: Request for Public Records Pursuant to Chapter 119, Florida Statutes

Dear Sir or Madam:

This is a request for Public Records, pursuant to Chapter 119, Florida Statutes. For a list of defined terms, please refer to the Definitions and Instructions, attached hereto as **Exhibit "A"**. Please provide your complete files for any and all of the following:

1. All Documents and Communications between EOG and Coventry Health Care of Florida, Inc., D/B/A Aetna Better Health of Florida from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Coventry or EOG, including Jason Allison, Amy Bisceglia, Megan Fay, Christopher Finkbeiner, Robert Hosay, Nick Iarossi, Ashley Kalifeh, Andrew Ketchel, Ronald LaFace, Jr., Scott Ross, William Rubin, Matthew F. Sacco, Brooke Flaherty Tiner, Heather Turnbull, and Gerald Wester.
2. All Documents and Communications between EOG and Humana Medical Plan, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Humana Medical Plan, Inc. or EOG, including Leslie Y. Dughi, Christopher Finkbeiner, Jonathan C. Bussey, Hayden R. Dempsey, Emily N. Reid, Melissa Akeson, William D. Rubin and Heather L. Turnbull.
3. All Documents and Communications between EOG and Molina Healthcare of Florida, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Molina Healthcare of

Florida, Inc. or EOG, including Melissa Akeson, Amy C. Bisceglia, Christopher J. Finkbeiner, Julia Juarez, William D. Rubin, Matthew F Sacco, and Heather L. Turnbull.

All Documents and Communications between EOG and Simply HealthCare Plans, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Simply HealthCare Plans, Inc. or EOG, including Anita M Berry, Robert M Blair, Michael C. Corcoran, Michael W. Garner, Jeffrey M. Johnston, Joel T. Overton, Amanda Stewart, James R. Card and Larry J. Overton.

4. All Documents and Communications between EOG and Sunshine State Health Plan, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Sunshine State Health Plan, Inc. or EOG, including Charles W. Liem, Tamela Ivey Perdue, Douglas S. Bell, Roy Dean Cannon Jr., James R. Daughton Jr., Bernie J. Friedman, Patricia B. Greene, Warren H. Husband, Yolanda Cash Jackson, Allison Liby-Schoonover, Aimee Diaz Lyon, Andrew T. Palmer, Kirk Pepper, William (Pierce) Schuessler, Karen Skyers and Joshua Spagnola.
5. All Documents and Communications between EOG and UnitedHealthcare of Florida, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of UnitedHealthcare of Florida, Inc. or EOG, including Matt A. Bryan, Jeff Hartley, Rhett E. O'Doski, Andrea B. Reilly, Ryder S. Rudd, Sean C. Stafford, and Abigail London Vail.
6. All Documents and Communications between EOG and WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida, or EOG, including Slater W. Bayliss, Sarah J Busk, Alberto R. Cardenas, Christopher J. Chaney, R. Justin Day, Craig M. Hansen, Fred E. Karlinsky, Gregg MacDonald, Trevor Mask, Elizabeth Miller, Stephen W. Shiver, and Katherine S. Webb.
7. All Documents and Communications between EOG and Wellmerica, LLC DBA Wellmerica, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Wellmerica, LLC DBA Wellmerica or EOG, including Jorge Chamizo
8. All Documents and Communications between EOG and Florida Community Care, LLC, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Florida Community Care, LLC or EOG.

9. All Documents and Communications between EOG and Best Care Assurance, LLC DBA Horizon Health Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Best Care Assurance, LLC DBA Horizon Health Plan or EOG.
10. All Documents and Communications between EOG and Florida True Health, Inc. D/B/A Prestige Health Choice, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Florida True Health, Inc. D/B/A Prestige Health Choice or EOG, including James H. McFaddin III, Wallace Gene McGee, and Cindy Walsh Meredith.
11. All Documents and Communications between EOG and Health Advantage Florida, Inc., from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Health Advantage Florida, Inc. or EOG.
12. All Documents and Communications between EOG and Lighthouse Health Plan, LLC, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Lighthouse Health Plan, LLC or EOG.
13. All Documents and Communications between EOG and Miami Children's Health Plan, LLC, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Miami Children's Health Plan, LLC or EOG, including Robert M Blair, Michael G. Cantens, Eduardo S Gonzalez, Jeffrey M. Johnston and Amanda Stewart.
14. All Documents and Communications between EOG and South Florida Community Care Network, LLC D/B/A Community Care Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of South Florida Community Care Network, LLC D/B/A Community Care Plan or EOG, including Joel T. Overton and Larry J. Overton.
15. All Documents and Communications between EOG and Best Care Assurance, LLC DBA Horizon Health Plan Children with Special Needs Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Best Care Assurance, LLC DBA Horizon Health Plan Children with Special Needs Specialty Plan or EOG.

16. All Documents and Communications between EOG and Coral Care, LLC Serious Mental Illness Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Coral Care, LLC Serious Mental Illness Specialty Plan or EOG.
17. All Documents and Communications between EOG and Florida MHS, Inc. DBA Magellan Complete Care Serious Mental Illness Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Florida MHS, Inc. DBA Magellan Complete Care Serious Mental Illness Specialty Plan or EOG, including Jorge Chamizo.
18. All Documents and Communications between EOG and Miami Children's Health Plan, LLC Children with Special Needs Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Miami Children's Health Plan, LLC Children with Special Needs Specialty Plan or EOG, including Robert M Blair, Michael G. Cantens, Eduardo S Gonzalez, Jeffrey M. Johnston and Amanda Stewart.
19. All Documents and Communications between EOG and Molina Healthcare of Florida, Inc. Child Welfare Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Molina Healthcare of Florida, Inc. Child Welfare Specialty Plan or EOG, including Melissa Akeson, Amy C. Bisceglia, Christopher J. Finkbeiner, Julia Juarez, William D. Rubin, Matthew F Sacco, and Heather L. Turnbull.
20. All Documents and Communications between EOG and Our Children PSN of Florida, LLC Children with Special Needs Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Our Children PSN of Florida, LLC Children with Special Needs Specialty Plan or EOG, including Melissa Akeson, Amy C. Bisceglia, Christopher J. Finkbeiner, Jonathan P. Kilman, Paul Lowell, William D. Rubin, Matthew F Sacco and Heather L. Turnbull.
21. All Documents and Communications between EOG and Simply Healthcare Plans, Inc. D/B/A Clear Health Alliance HIV/AIDS Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Simply Healthcare Plans, Inc. D/B/A Clear Health Alliance HIV/AIDS Specialty Plan or EOG, including Anita M Berry, Robert M Blair, Michael C. Corcoran, Michael W. Garner, Jeffrey M. Johnston, Joel T. Overton, Amanda Stewart, James R. Card and Larry J. Overton.

22. All Documents and Communications between EOG and South Florida Community Care Network, LLC D/B/A Community Care Plan Child Welfare Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of South Florida Community Care Network, LLC D/B/A Community Care Plan Child Welfare Specialty Plan or EOG, including Joel T. Overton and Larry J. Overton.
23. All Documents and Communications between EOG and South Florida Community Care Network, LLC D/B/A Community Care Plan HIV/AIDS Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of South Florida Community Care Network, LLC D/B/A Community Care Plan HIV/AIDS Specialty Plan or EOG, including Joel T. Overton and Larry J. Overton.
24. All Documents and Communications between EOG and South Florida Community Care Network, LLC D/B/A Community Care Plan Serious Mental Illness Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of South Florida Community Care Network, LLC D/B/A Community Care Plan Serious Mental Illness Specialty Plan or EOG, including Joel T. Overton and Larry J. Overton.
25. All Documents and Communications between EOG and Sunshine State Health Plan, Inc. Child Welfare Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of Sunshine State Health Plan, Inc. Child Welfare Specialty Plan or EOG, including Charles W. Liem, Tamela Ivey Perdue, Douglas S. Bell, Roy Dean Cannon Jr., James R. Daughton Jr., Bernie J. Friedman, Patricia B. Greene, Warren H. Husband, Yolanda Cash Jackson, Allison Liby-Schoonover, Aimee Diaz Lyon, Andrew T. Palmer, Kirk Pepper, William (Pierce) Schuessler, Karen Skyers and Joshua Spagnola.
26. All Documents and Communications between EOG and UnitedHealthcare of Florida, Inc. HIV/AIDS Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of UnitedHealthcare of Florida, Inc. HIV/AIDS Specialty Plan or EOG, including Matt A. Bryan, Jeff Hartley, Rhett E. O'Doski, Andrea B. Reilly, Ryder S. Rudd, Sean C. Stafford, and Abigail London Vail.
27. All Documents and Communications between EOG and UnitedHealthcare of Florida, Inc. Serious Mental Illness Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of UnitedHealthcare of Florida, Inc. Serious Mental Illness Specialty Plan or EOG,

including Matt A. Bryan, Jeff Hartley, Rhett E. O'Doski, Andrea B. Reilly, Ryder S. Rudd, Sean C. Stafford, and Abigail London Vail.

28. All Documents and Communications between EOG and WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Child Welfare Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Child Welfare Specialty Plan or EOG, including Slater W. Bayliss, Sarah J Busk, Alberto R. Cardenas, Christopher J. Chaney, R. Justin Day, Craig M. Hansen, Fred E. Karlinsky, Gregg MacDonald, Trevor Mask, Elizabeth Miller, Stephen W. Shiver, and Katherine S. Webb.
29. All Documents and Communications between EOG and WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Children with Special Needs Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Children with Special Needs Specialty Plan or EOG, including Slater W. Bayliss, Sarah J Busk, Alberto R. Cardenas, Christopher J. Chaney, R. Justin Day, Craig M. Hansen, Fred E. Karlinsky, Gregg MacDonald, Trevor Mask, Elizabeth Miller, Stephen W. Shiver, and Katherine S. Webb.
30. All Documents and Communications between EOG and WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Serious Mental Illness Specialty Plan, from August 1, 2017, through July 1, 2018. This request includes Documents and Communications between Senior and any agents or lobbyists of WellCare of Florida, Inc., d/b/a Staywell Health Plan of Florida Serious Mental Illness Specialty Plan or EOG, including Slater W. Bayliss, Sarah J Busk, Alberto R. Cardenas, Christopher J. Chaney, R. Justin Day, Craig M. Hansen, Fred E. Karlinsky, Gregg MacDonald, Trevor Mask, Elizabeth Miller, Stephen W. Shiver, and Katherine S. Webb.
31. All Documents between AHCA or any lobbyist for AHCA, and EOG, from August 1, 2017, through July 1, 2018.
32. All Documents and Communications between Justin Senior and EOG from August 1, 2017, through July 1, 2018.
33. All Documents and Communications between EOG and the Rick Scott Campaign for Senate, a/k/a Rick Scott for Florida from April 1, 2018, through the present date.

Section 119.07(1)(a), Florida Statutes, indicates that anyone who has custody of a public record(s) shall permit the record to be copied and permit the person requesting the record to do so during business hours. Further, Section 119.07(1)(c), Florida Statutes, indicates that you must

acknowledge the request and respond to the request in good faith.

I request that the person(s) who has custody of such records and who in good faith determines that an exemption under Chapter 119, Florida Statutes, applies, redact such record and produce the remainder of such record for inspection and copying. If the custodian of any record(s) requested determines that all or part of such record is exempt from inspection or copying, the custodian should provide a letter stating the basis for the asserted exemption, as created or afforded by any Florida Statute, upon which the Executive Office of the Governor relies. If you so assert that an exemption does apply, please identify which records requested would be exempt under such exemption.

If you contend that certain requests are vague or confusing, please have the custodian of the records write me a letter as soon as possible identifying which request(s) are vague or confusing so I may clarify.

Should you assert any privilege under Chapter 119, Florida Statutes, please list the statutory privilege and provide a Privilege Log which identifies the sender, recipient and the date sent. If you should have any questions regarding the nature or extent of the records being requested herein, please do not hesitate to contact my office for clarification.

Further, if any administrative fees related to the compilation of this request are required, please notify my office as soon as possible with that information so as to expedite the processing of this public records request.

Time is of the essence for this Public Records Request, as it pertain to pending litigation. We would like to start receiving the public records on a rolling basis immediately, with all documents to be produced by next Wednesday.

Sincerely,

Ryan J. Andrews

Encl.

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

1. The term “You” and “Your” means the party or parties to whom this request is addressed, including its division, departments, subsidiaries, affiliates, predecessors, present or former officers, directors, owners, agents, attorneys, and all other persons acting or purporting to act on its behalf, as well as each partnership in which it is a partner.

2. The term “Person” means any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other business enterprise, governmental body, group of natural persons or the entity. The term Person shall include any affiliate of such Person as described in the Securities Act of 1933 (Rule 501) an affiliate shall mean the specified Person that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with the Person specified.

3. The term “Document” means any written or graphic matter or other means of preserving thought or expression and all tangible things from which information can be processed or transcribed, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, text messages, iMessages, WhatsApp, Confide messages (or any other App similar in nature to Confide), any social media posts, messages, photos including, but not limited to Snapchat, Facebook, Twitter, letters, telegrams, teletype, email, bulletins, meetings or other communications, interoffice and interoffice telephone calls, diaries, chronological data, minutes, books, reports, studies, summaries, pamphlets, printed matter, charts,

ledgers, invoices, work sheets, receipts, returns, computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, canceled checks, statements, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphic or aural records or representations of any kind (including without limitation, photographic, microfiche, videotape, records and motion pictures) and electronic, mechanical or electrical records or representations of any kind (including, without limitation, tapes, cassettes, discs and records),. The term “Document” shall include all documents maintained in an electronic format including e-mails or other means of inter or intra office communication. All electronic data shall be produced in a searchable natural language format.

4. The term “All Documents” means every document or group of documents as above defined that are known to you or that can be located or discovered by reasonably diligent efforts.

5. The term “Communication” means any oral or written statement, dialogue, colloquialism, discussion, conversation, agreement, or expression of any kind, including, but not limited to text messages, iMessages, WhatsApp, Confide messages (or any other App similar in nature to Confide), any social media posts, messages, photos including, but not limited to Snapchat, Facebook, Twitter.

6. The term “All communication” means each and every communication as above defined that is known to you or about which you have any information.

7. As used herein the singular shall include the plural, the plural shall include the singular, and the masculine, feminine, and neuter shall include each of the other genders.

8. The term “Identify” when used with reference to a natural person means:

a) the full name and address (or, if the current address is not known, the last known address) of the person;

b) the full name and address of each employer, each corporation of which the person is an officer or director, and each business in which the person is a principal;

c) the person's present (or, if the present is not known, the last known) position and the position or positions at the time of the act to which the interrogatory answer relates;

d) each position the person has ever held with you and the date such positions were held; and,

e) such other information sufficient to provide full identification of the person.

9. The term "Identify" when used with reference to any other entity other than a natural person means:

a) the full name of the entity, the type of entity (e.g., corporation, partnership, etc.), the address of its principal place of business, its principal business activity and if it is a corporation, the jurisdiction under the laws of which it has been organized and the date of such organization;

b) each of the entity's officers, directors, shareholders or other principals; and,

c) any other available information concerning the existence or identity of the entity.

10. The term "Identify" when used with reference to a Document or written communication means:

a) its nature (e.g., letter, telegram, memorandum, chart, report or study), date,

author, date and place of preparation and the name and address of each addressee;

b) the identity of each signatory of the Document or communication;

c) the title or heading of the Document or communication;

d) its substance;

e) its present (or, if the present is not known, the last known) location and custodian;

f) the identity of each person to whom a copy was sent and each date of its receipt and each date of its transmittal or other disposition by (I) you, and (ii) any other person (naming such other person) who, at any time, either received, transmitted or otherwise disposed of such Document or communication and each copy thereof; and,

g) the circumstances of each such receipt and each transmittal or other disposition, including identification of the person from whom received and the person to whom transmitted.

From: Boney, Olivia
To: [Natalie Sheffield](#)
Cc: [Reid, Jack](#)
Subject: RE: Public Records Request
Date: Tuesday, July 31, 2018 1:57:24 PM
Attachments: [2018.07.31 Public Records Request-EOG.PDF](#)

Good Afternoon,

The Governor's Office of Open Government is in receipt of your request for records as stated in the attached. A search for responsive records will be initiated and someone from this office will be back in touch with you soon. If the search produces a volume of records which indicates that there will be a fee associated with your request, you will be provided with a fee estimate for your review. Thank you for contacting the Executive Office of the Governor.

Sincerely,

Olivia Boney

Office of Open Government
Executive Office of Governor Rick Scott
1604 The Capitol
Tallahassee, FL 32399
(850) 717-9248

Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

From: Natalie Sheffield [mailto:natalie@andrewslaw.com]
Sent: Tuesday, July 31, 2018 1:41 PM
To: Scott Open Government <scotttopengov@eog.myflorida.com>
Cc: Ryan Andrews <ryan@andrewslaw.com>
Subject: Public Records Request

Good Afternoon,

Please see attached Public Records Request. Please confirm receipt. Thanks!

Natalie Sheffield
Paralegal

The Law Offices of Steven R. Andrews
822 North Monroe Street
Tallahassee, FL 32303
Natalie@andrewslaw.com

T: (850) 681-6416
F: (850) 681-6984

NOTICE: This message, including all attachments transmitted with it, is for the use of the addressee only. It may contain proprietary, confidential and/or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you are not the intended recipient, you must not, directly or indirectly, use, disclose, distribute, print or copy any part of this message. If you believe you have received this message in error, please delete it and all copies of it from your system and notify the sender immediately by reply e-mail. Thank you

***The Law Offices of
Steven R. Andrews, P.A.***

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Telephone (850) 681-6416
Facsimile (850) 681-6984*

September 7, 2018

VIA EMAIL

Jack Reid, Director
Executive Office of the Governor
State of Florida
The Capitol PL-04
Tallahassee, FL 32399
Jack.Reid@eog.myflorida.com

Re: Public Records Request dated July 31, 2018
Statutory Notice pursuant to Chapter 119, Florida Statutes

Dear Sir or Madam:

Attached is a Public Records Request dated July 31, 2018. As of today's date, we have not received the public records responsive to this request.

Please consider this letter our firm's five day notice of suit to compel production of public records under Florida Statute 119. If we do not receive all responsive records within five days of this letter, we will proceed with a petition to compel the production of the requested public records.

Please do not hesitate to contact me should you have any questions.

Sincerely,

/s/ *Ryan J. Andrews*

Ryan J. Andrews

Encl.