

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

JUDICIAL WATCH, INC.,

Plaintiff,

v.

FANI WILLIS, in her official capacity
as District Attorney of the Atlanta
Judicial Circuit,

Defendant.

CIVIL ACTION FILE NO. 25CV009861

COMPLAINT

Plaintiff Judicial Watch, Inc. brings this action against Defendant Fani Willis, in her official capacity as District Attorney of the Atlanta Judicial Circuit to compel compliance with the Georgia Open Records Act, § 50-18-70 *et seq.* As grounds therefor, Plaintiff alleges as follows:

JURISDICTION

1. This Court has jurisdiction over the person and subject matter of this action pursuant to O.C.G.A. § 50-18-73(a).

VENUE

2. Venue is proper in this Court pursuant to O.C.G.A. § 9-10-30 because Defendant's principal offices are located in Atlanta, Georgia 30303, in Fulton County.

PARTIES

3. Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization incorporated under the laws of the District of Columbia and headquartered at 425 Third Street SW, Suite 800, Washington, DC 20024. Plaintiff seeks to promote transparency, accountability, and integrity in

government and fidelity to the rule of law. As part of its mission, Judicial Watch regularly requests records under federal and state “open records” laws, analyzes the responses and any records it receives, and disseminates its findings and the records to the public to inform them about their government.

4. Defendant Fani Willis is the District Attorney of the Atlanta Judicial Circuit. She has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On February 11, 2025, Plaintiff submitted a Georgia Open Records Act request to Defendant.

6. The request sought access to the following records:

- a. Any documents, memos, and/or correspondence provided by non-profit organizations, to include but not limited to the States United Democracy Center ("SUDC") and/or the Voter Protection Project ("VPP"), to the Fulton County District Attorney's Office ("FCDA") regarding the investigation and prosecution of Republican state electors or "fake electors" for the 2020 presidential election and/or anti-racketeering for conspiring to nullify the election.
- b. Any communications between FCDA and the VPP (ex. email domain@protectvoting.org).
- c. Any communications between FCDA and the SUDC (ex. email domain@ytatesuniteddemocracy.org)
- d. Any agreement or letter of engagement between SUDC and FCDA.
- e. Any agreement or letter of engagement between VPP and FCDA.

- f. Any communications between SUDC or VPP and any individual or entity, public or private, discussing, researching, mentioning, or alluding to the investigation or prosecution of Republican state electors or "fake electors" for the 2020 presidential election and/or anti-racketeering laws for conspiring to nullify the election
- g. Any communication from SUDC or VPP to any individual or entity, public or private, recommending, advocating, and/or offering advice or strategy for investigating or prosecuting Republican state electors or "fake electors" for the 2020 presidential election and/or anti-racketeering laws for conspiring to nullify the election.
- i. Any communication from SUDC or VPP to any individual or entity, public or private, recommending, advocating, or offering advice or providing or receiving strategy for preventing Donald Trump and his associates, allies, or supporters from challenging the outcome of the 2020 presidential election and/or anti-racketeering laws for conspiring to nullify the election.

7. The request was submitted via Certified Mail.

8. On February 13, 2025, Defendant acknowledged receipt of Plaintiff's request, assigning it reference number R0001841-021125 February 13, 2025.

9. On February 28, 2025, Defendant sent Plaintiff a notice stating, "We apologize for the delay, however additional time is needed to fulfill your open records request. We anticipate an update or response will be forwarded to you within 10 business days or no later than 5 p.m. on the 14th, Of March 2025. We appreciate you continued patience." Defendant further stated that each of requests (g), (h), and (i) was "vague and does not contain information that is reasonably calculated to allow the recipient of the request to locate the message sought.

10. On March 18, 2025, Defendant sent Plaintiff a notice stating, “We apologize for the delay, however additional time is needed to fulfill your open records request. We anticipate an update or response will be forwarded to you within 10 business days or no later than 5 p.m. on 4/1/25. We appreciate your continued patience.”

11. To date, the Plaintiff has not received any determination or any further communication or otherwise received any responsive documents related to request no. R0001841-021125.

12. Even if the first extension unilaterally granted by Defendant was appropriate, the Defendant’s first extended deadline for producing responsive records was February 27, 2025.

13. Defendant did not grant herself another extension until February 28, 2025.

14. Even if the second extension unilaterally granted by Defendant was appropriate, Defendant’s second extended deadline for producing responsive records was March 14, 2025.

15. Defendant did not grant herself another extension until March 18, 2025.

16. On March 18, 2025, Defendant granted herself a third extension until April 1, 2025.

17. Even if the third extension was appropriate, Defendant missed her third self-granted extension and has not had any further contact with Plaintiff since March 18, 2025.

COUNT I

(Violation of the Georgia Open Records Act – O.C.G.A. § 50-18-70, et seq.)

18. Plaintiff realleges the preceding paragraphs as if fully stated herein.

19. Defendant is in violation of the Georgia Open Records Act with respect to request nos. R001841-021125.

20. Defendant was required to make the requested records available to Plaintiff or notify Plaintiff of any determination not to make the records, or any part thereof, available to Plaintiff within three (3) business days of receipt of the request. O.C.G.A. § 50-18-71(b)(1)(a).

21. Plaintiff is being irreparably harmed by Defendant's violation of the Georgia Open Records Act, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

22. Plaintiff has a clear legal right to the records requested and Defendant has a duty to provide them.

23. Defendant is not substantially justified in not responding to the request or providing the requested records.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court: (1) declare Defendant in violation of the Georgia Open Records Act; (2) order Defendant to conduct searches for all public records responsive to Plaintiff's Open Records Act request without further delay; (3) enjoin Defendant from continuing to withhold all non-exempt public records responsive to Plaintiff's Open Records Act request; (4) grant Plaintiff an award of attorney's fees and other costs reasonably incurred in this action pursuant to O.C.G.A. § 50-18-73(b); and (5) grant Plaintiff any other relief as the Court deems just and proper.

Dated July 21, 2025

Respectfully submitted,

/s/ John R. Monroe
John R. Monroe
John Monroe Law, P.C.
156 Robert Jones Road
Dawsonville, GA 30534
678 362 7650
jrm@johnmonroelaw.com
State Bar No. 516193
Attorneys for Plaintiff

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STATE OF GEORGIA

Judicial Watch, Inc. Civil Action No. 25CV009861
Plaintiff

v.

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Defendant

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby required to file with the Clerk of said Court and serve upon the plaintiff or plaintiff's attorney, whose name, address and email address are:

John R. Monroe

156 Robert Jones Road

Dawsonville, GA 30534

jrm@johnmonroelaw.com

an answer to the complaint which is hereby served on you. You must make your answer within 30 days after service of this summons upon you. This time excludes the day of service. If you fail to answer, the court will issue a default judgment against you for the relief sought in the complaint.

If this action pertains to a Protective Order, the answer is to be filed and served on or before the scheduled hearing date attached.

This ____ day of 7/21/2025, 20__.

[Clerk's Name]
Clerk of Superior Court

By Tracey Vaughn
Deputy Clerk

[Attach addendum sheet for additional parties, if needed. You must make a notation on this sheet if used.]