

THE MUISE LAW GROUP, PLLC

P.O. Box 131098 • Ann Arbor, Michigan 48113 • (734) 635-3756

August 11, 2025

Via Email

Michigan Department of Attorney General
Attn: Ms. Veronica Estrada
Assistant FOIA Coordinator
P.O. Box 30754
Lansing, Michigan 48909
AG-FOIA@michigan.gov

Re: Judicial Watch, Inc. FOIA Request of January 2, 2025

Dear Ms. Estrada:

We have been retained by Judicial Watch, Inc. (“Judicial Watch”) to assert and protect its rights under the Michigan Freedom of Information Act, MCL 15.231 *et seq.* (“FOIA” or “Act”), related to its FOIA request to the Michigan Department of Attorney General (“Department”) dated January 2, 2025. A copy of this request is attached as Exhibit A. As of the date of this letter, the Department has not provided a single record responsive to this request.

On January 8, 2025, the Department acknowledged receipt of the FOIA request via a letter, and pursuant to MCL 15.235(2)(d), extended the time to respond to January 27, 2025.

On January 27, 2025, the Department stated via letter that the FOIA “request will be granted as to any nonexempt records in the Department’s possession that fall within the scope of the request.” Further, the Department “determined that a voluminous number of records falls within the scope” of the request. In this letter, the Department also provided a detailed itemization of fees and requested “a one-half good faith deposit of \$1,474.30” in order to commence processing the FOIA request. The Department stated that it “will complete the process within an estimated 90 business days,” noting that the “time frame estimate is nonbinding” but made “in good faith” pursuant to MCL 15.234(8). And finally, the letter stated that “[w]hen the Department has completed processing the request, it will notify [Judicial Watch] in writing of the balance due, if any, the statutory basis for any exemptions taken, and the statutory remedial rights, if applicable. After receipt of the fee balance, if any, copies of the records will be provided.”

On July 2, 2025, the Department acknowledged via a letter that its “January 27, 2025 notice estimated 90 business days to process the request after receipt of the good-faith deposit,” which “[t]he Department received . . . on February 24, 2025.” The Department then stated that it “requires up to 15 more business days, through July 24, 2025, to complete the processing of the request.”

And yet again, on July 24, 2025, the Department stated via a letter that it “requires up to 15 more business days, through August 14, 2025, to complete its processing of the request.”

FOIA was adopted to promote “the public policy of this state that all persons . . . are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees” MCL 15.231(2). The core objective of FOIA “is to provide the people of this state with full and complete information regarding the government’s affairs and the official actions of governmental officials and employees.” *Practical Political Consulting, Inc v Sec’y of State*, 287 Mich App 434, 462; 789 NW2d 178, 192 (2010).

As Judicial Watch noted in its FOIA request, “[t]he disclosure of the requested information is in the public interest and will contribute significantly to Judicial Watch’s commitment to informing and educating the public regarding government accountability, transparency, and the rule of law.” *See* Ex. A.

There is little doubt that when information that is in the public interest becomes stale, it loses its import and impact, and that is particularly true today where the news cycle turns at a rapid rate.

And while FOIA does not contain a specific time limit for fulfilling requests, the Act expressly recognizes that a public body can violate the Act not only by an outright refusal to produce records responsive to the request for which no exemption applies but also by inordinate delay. MCL 15.240(7). Such a delay becomes a constructive denial of the FOIA request. *See* MCL 15.240(1)(b). In other words, FOIA delayed is FOIA denied.

Here, the Department has had more than sufficient time to process the requested documents. Accordingly, Judicial Watch demands that on or before August 14, 2025, the Department complete its processing of the FOIA request and notify Judicial Watch in writing of the balance due, if any, and the statutory basis for any exemptions taken and the statutory remedial rights available, if applicable. If any remaining fee balance is due, Judicial Watch will promptly provide it, expecting a similarly prompt production of the requested documents upon receipt of the payment. If no fee balance remains, Judicial Watch expects the Department to produce the requested documents on or before August 14, 2025.

Please know that should the Department continue this delay tactic, Judicial Watch is prepared to pursue its legal rights and remedies in the Michigan Court of Claims.

We look forward to a prompt and favorable reply.

Sincerely,



Robert J. Muise
Principal Attorney

EXHIBIT A



Judicial Watch®

Because no one
is above the law!

January 2, 2025

CERTIFIED MAIL

Michigan Department of Attorney General
Attn: FOIA Coordinator
P.O. Box 30754
Lansing, MI 48909

Re: Michigan Freedom of Information Act, §15.231 et seq.

FOIA Coordinator:

On July 18, 2023, the *Michigan Department of Attorney General* (“MAG”) posted a press release indicating that sixteen (16) “false electors” were to be charged with criminal election and forgery violations.

 Michigan Department of Attorney General

File a Complaint ▾ About ▾ News & Outreach ▾ Initiatives ▾ Consumer Protection ▾ Environment ▾ Seniors ▾

Michigan Attorney General Dana Nessel Charges 16 ‘False Electors’ with Election Law and Forgery Felonies

July 18, 2023

<https://www.michigan.gov/ag/news/press-releases/2023/07/18/michigan-attorney-general-dana-nessel-charges-16-false-electors>

On May 28, 2024, the States United Democracy Center (“SUDC”) issued an update of a “fact sheet” that they had originally posted online on November 6, 2023. Within their report, it was stated, “In December 2020, groups of Republicans in Michigan, Arizona, Georgia, Nevada, New Mexico, Pennsylvania, and Wisconsin met and signed fake Electoral College certificates—posing as their state’s duly elected presidential electors—in an attempt to falsely declare Trump won the 2020 presidential election.”

 **States United**
DEMOCRACY CENTER

Background: Michigan’s ‘fake electors’ charges, explained

Michigan was one of seven states where “fake electors” claimed that Donald Trump won the 2020 presidential election in their state.

<https://statesunited.org/resources/michigan-fake-electors/>

Under the Michigan Freedom of Information Act §15.231 et seq., and unless otherwise noted within the date range of January 1, 2020 to the completion of this request, I am requesting an opportunity to inspect or obtain copies of:

1. 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 MAG regarding the investigation and prosecution of Republican state electors or “fake electors” for the 2020 presidential election.
2. Any communications between MAG and the VPP (*ex. email domain @protectvoting.org.*).
3. Any communications between MAG and the SUDC (*ex. email domain @statesuniteddemocracy.org*)
4. Any agreement or letter of engagement between SUDC and MAG.
5. Any agreement or letter of engagement between VPP and MAG.
6. 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.
7. 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.
8. 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.

“COMMUNICATION(S)” means every manner or method of disclosure, exchange of information, statement, or discussion between or among two or more persons, including but not limited to, face-to-face and telephone conversations, correspondence, memoranda, telegrams, telexes, email messages, voice-mail messages, text messages, electronic messaging (including instant messaging and chats delivered through Microsoft Teams, Google Workspace, Zoom Team Chat, or other similar systems), meeting minutes, discussions, releases, statements, reports, publications, and any recordings or reproductions thereof.

“DOCUMENT(S)” or “RECORD(S)” mean any kind of written, graphic, or recorded matter, however produced or reproduced, of any kind or description, whether sent, received, or neither, including drafts, originals, non-identical copies, and information stored magnetically, electronically, photographically or otherwise. As used herein, the terms “DOCUMENT(S)” or “RECORD(S)” include, but are not limited to, studies, papers, books, accounts, letters, diagrams, pictures, drawings, photographs, correspondence, telegrams, cables, text messages, emails, memoranda, notes, notations, work papers, intra-office and inter-office communications, communications to, between and among employees, contracts, financial agreements, grants, proposals, transcripts, minutes, orders, reports, recordings, or other documentation of telephone or other conversations, interviews, affidavits, slides, statement summaries, opinions, indices, analyses, publications, questionnaires, answers to questionnaires, statistical records, ledgers, journals, lists, logs, tabulations, charts, graphs, maps, surveys, sound recordings, data sheets,

computer printouts, tapes, discs, microfilm, and all other records kept, regardless of the title, author, or origin.

“PERSON” means individuals, entities, firms, organizations, groups, committees, regulatory agencies, governmental entities, business entities, corporations, partnerships, trusts, and estates.

“REFERS,” “REFERRING TO,” “REGARDS,” REGARDING,” “RELATES,” “RELATING TO,” “CONCERNS,” “CONCERNING” or “PERTAINS TO” mean, containing, alluding to, responding to, commenting upon, discussing, showing, disclosing, explaining, mentioning, analyzing, constituting, comprising, evidencing, setting forth, summarizing, or characterizing, either directly or indirectly, in whole or in part.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$250.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to Judicial Watch’s commitment to informing and educating the public regarding government accountability, transparency, and the rule of law. This information is not being sought for commercial purposes.

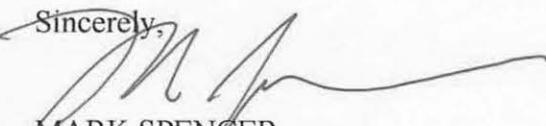
I would request a response in writing, within the 5 days described by law, if you intend to deny this request. Also, if you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

We look forward to your prompt response. Any response or records that can be delivered via e-mail attachments are certainly acceptable. Additionally, all responsive records in an electronic format (“PDF” is preferred) is appreciated. We also are willing to accept a “rolling production” of responsive records if it will facilitate a more timely production

If you deny any or all 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.

Please be advised that if the records are not provided to our office or if we do not hear from your Office we will assume that your Office is refusing to comply with our Freedom of Information request. If you do not understand this request or any portion thereof, or if you feel you require clarification of this request or any portion thereof, please contact me immediately at 602.510.7875 or mspencer@judicialwatch.org. The local Arizona address is:

Judicial Watch Inc. / PO Box 30042 / Phoenix, AZ 85046

Sincerely,

MARK SPENCER
Southwest Projects Coordinator
Judicial Watch, Inc.