

From: [Kenneth Weiss](#)
To: [Sams, Savannah](#); [Eineman, Emily](#)
Cc: [Pat Gleason](#); [Matt Weidner](#); [Mary Ellen Klas](#)
Subject: Public records request pursuant to Chapter 119.071(1)(d)(1)
Date: Friday, August 21, 2015 1:38:16 PM

Ladies and Gentlemen:

It is now clear that the citizens of the State of Florida have incurred expenses totaling millions of dollars because state government officials, including Governor Rick Scott, are aggressively litigating cases in which private citizens assert their Constitutional right of access to records made by public officials.

There can be no question that all of the emails, pleadings, notes and all written communication in any form that have been generated in these cases are public records as defined by Florida's Constitution and by statute. Critically, however, because the citizens of this state have already paid millions of dollars in litigation related to these public records, we are respectfully requesting that these records be released to the general public promptly and without any additional costs or expense. Virtually all of the requested documents already exist in electronic format.

Pursuant to Chapter 119, the undersigned hereby request the following public records. If you believe any of the requested public records are exempt, please advise upon what statutory authority you make that assertion.

1. All emails, memoranda (including internal memoranda or notes), and all communications, and correspondence whether from public or private emails or phones (including text messages), or any other public record identified in §119.071(1)(d)(1) Fla. Stat (below). that exist in any media format between the lawyers and/or law firms paid by A) Gov. Rick Scott, B) Attorney General Pam Bondi, C) Commissioner of Agriculture Adam Putnam, D) Chief Financial Officer Jeff Atwater, E) Sarah Hansford, F) Brad Piepenbrink, or any other individuals whose legal fees were paid by any agency of the State and that were incurred as a result of the of the case styled 2015 CA 000283: WEIDNER, MATTHEW vs SCOTT, RICK and the resulting settlement. The lawyers and law firms include but are not limited to David M. Wells, Gunster Yoakley & Stewart; Pete Dunbar and John Wharton, Dean, Mead, and Dunbar; Christopher B. Lunny, Rady Law Firm; George Meros, Gray Robinson; Daniel E. Nordby, Shutts & Bowen. The request includes all such documents in original electronic format.

2. All emails, memoranda (including internal memoranda or notes), all communication and correspondence whether from public or private emails or phones (including text messages), or any other public record identified in §119.071(1)(d)(1) Fla. Stat (below). that exist in any media format between the lawyers and/or law firms paid by G) Gov. Rick Scott, H) Attorney General Pam Bondi, I) Commissioner of Agriculture Adam Putnam, J) Chief Financial Officer Jeff Atwater, K) the Department of Environmental Protection, L) Department of State, M) Executive Office of the Governor, N) Office of the Attorney General, O) Brad Piepenbrink, P) Chris Finkbeiner and any other state agency or any individuals whose legal fees were paid by the state and that were incurred as a result of the of the cases styled 1) Steve Andrews v. EOG, Rick Scott (2013 CA 3280 (Fla. 2nd Cir. Ct) including the settlement, 2) Hansford, Piepenbrink, Scott v Andrews California case 114CV271495 and 3) Andrews v. Finkbeiner, Hansford, Hermanson, O'Rourke and Sleger, No. 2015 00281 (Fla. 2nd Cir. Ct) . and the resulting settlement. The lawyers and law firms include but are not limited to David M. Wells, Gunster Yoakley & Stewart; Pete Dunbar and John Wharton, Dean, Mead, and Dunbar; Christopher B. Lunny, Rady Law Firm; George Meros, Gray Robinson; Daniel E. Nordby, Shutts & Bowen.

3. All pleadings including exhibits or attachments that were filed in the case styled 2015 CA 000283: WEIDNER, MATTHEW vs SCOTT, RICK in original electronic format.

4. All pleadings including exhibits or attachments that were filed in the case cases styled 1) Steve Andrews v. EOG, Rick Scott (2013 CA 3280 (Fla. 2nd Cir. Ct) including the settlement, 2) Hansford, Piepenbrink, Scott v Andrews California case 114CV271495 and 3) Andrews v. Finkbeiner, Hansford, Hermanson, O'Rourke and Sleger, No. 2015 00281 (Fla. 2nd Cir. Ct) in original electronic format.

In accordance with the below provisions of §119.071(1)(d)(1) Fla. Stat. the public records requested above include any public record (as defined in §119.011(12) Fla. Stat.) which include, but are not limited to, public records which were prepared by any person at the attorney's express direction, including but not limited to those that reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the agency, and that was prepared for civil or criminal litigation or for adversarial administrative proceedings, or that was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings as identified in paragraphs 1 and 2 above.

§119.071(1)(d) 1. A public record that was prepared by an agency attorney (including an attorney employed or retained by the agency or employed or retained by another public officer or agency to protect or represent the interests of the agency having custody of the record) or prepared at the attorney's express direction, that reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the agency, and that was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or that was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the conclusion of the litigation or adversarial administrative proceedings. For purposes of capital collateral litigation as set forth in s. 27.7001, the Attorney General's office is entitled to claim this exemption for those public records prepared for direct appeal as well as for all capital collateral litigation after direct appeal until execution of sentence or imposition of a life sentence.

Pursuant to §119.07(h) Fla. Stat. After a public records request is made the records requested must remain protected and not disposed of for at least 30 days even if the requested record is ultimately determined "not to be a public record or not subject to inspection". This protection also applies to text messages that have been requested.

This request is made on behalf of the undersigned.

Thank you for your prompt assistance.

Sincerely,

Matthew Weidner and Kenneth L. Weiss

Matthew Weidner, Esq.
Weidnerlaw, PA.
250 Mirror Lake Dr. N>
St. Peteresburg, FL 33701
727-954-8752
weidner@mattweidnerlaw.com

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Kenneth L. Weiss, Esq.
11085 9th St. E.
Treasure Island, FL 33706
727-415-3672
kweiss1@tampabay.rr.com