

MINNESOTA GOVERNMENT DATA PRACTICES ACT REQUEST

July 31, 2019

Keith Ellison, Esq.
Or Responsible Authority
Office of the Attorney General
445 Minnesota St.
Suite 1400
St. Paul, MN 55101-2131

By Electronic Mail: Attorney.General@ag.state.mn.us
Re: Certain Records Related to Fellowship Programs

Dear Sir or Madam:

On behalf of the public policy group Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) the Internal Revenue Code, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, *et seq.*, please provide copies of the following records:

1. any common interest agreement, contingency fee or other fee agreement, secondment agreement, and/or any retainer agreement and/or engagement agreements, entered into by your Office at any time in 2019;
2. All opinions, analyses, and/or determinations concluding that or otherwise addressing whether a) your Office has the legal authority to hire or otherwise bring into the Office, under any title, including, but not limited to, Fellow, Special Assistant Attorney General, Environmental Litigator, Special Counsel, or otherwise, an NYU Fellow¹, b) a Special Assistant Attorney General/Counsel, or any other inducement offered or provided by NYU, does or does not constitute an impermissible gift under any applicable law, code, or

¹ By NYU, we refer to a New York University School of Law fellow, which Pete Surdo claims to be “embedded” as in your Office through the State Energy and Environmental Impact Center.

regulation, and/or c) a “fellow”, Special Assistant Attorney General, Counsel, or any other inducement offered or provided by NYU, does or does not comply with or violate any applicable ethics, professional conduct, or anti-corruption law, code, or regulation. Records responsive to this request would, presumably, have been produced prior to June 1, 2019; and

3. Any application to participate in the NYU State Energy and Environmental Impact Center’s fellowship program. This record would, presumably, have been produced prior to June 1, 2019 given Mr. Surdo claims to have been “embedded” in your Office since June 2019.

Given the nature of the records responsive to this request, most are likely to be held in electronic format, and there should be no photocopying costs. Regardless, if the documents were received or created by your Office in hard copy, we request you produce them electronically.

We understand that a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, please provide an estimate of anticipated costs. Given EPA’s non-profit and public interest nature and intention to broadly disseminate relevant findings, EPA requests a waiver or reduction of any applicable fees.

We look forward to your response. If you have any questions, do not hesitate to contact me by email at MatthewDHardin@protonmail.com.

Sincerely,

Matthew D. Hardin
Executive Director
Energy Policy Advocates