
REQUEST UNDER CALIFORNIA'S PUBLIC RECORDS ACT

November 2, 2022

University of California
Office of the President
UC Legal - Office of the General Counsel
1111 Franklin Street, 8th Floor
Oakland, CA 94607

FACSIMILE — (510) 987-9757

Re: Certain correspondence and agreements

Dear Sir or Madam:

On behalf of Energy Policy Advocates (EPA), a non-profit public policy institute, and pursuant to the California Government Code §§ 6250 *et. seq.*, please provide copies of the following:

1) all billing invoices/statements from the law firm Venable LLP relating to services performed by Venable in connection with litigation over PRA Requests from People for the Ethical Treatment of Animals (PETA) in *PETA v. The Regents of the University of California*, Superior Court for the County of Yolo, which litigation was filed in January 2019.

Logically, those invoices should be dated from January 1, 2019 through February 2022, but we cannot ensure that. Regents' law firm posted the following, suggesting it could have continued billing through this past Spring. "The court issued its ruling on Jan. 11, 2022. PETA had the opportunity to appeal the decision but has declined to do so."

<https://www.venable.com/about/news/2022/04/venable-client-uc-davis-wins-lawsuit>

The litigation is now closed. Accordingly, on behalf of EPA, and pursuant to California Government Code §§ 6250 *et seq.*, I request that that the custodian of University records produce, or provide me or my representative, within 10 business days, the opportunity to inspect or obtain, copies of the described records.

We are only interested in rates charged, hours charged, and amounts billed to Regents in connection with that suit. All description of the legal services provided can be treated as non-responsive for these purposes and redacted, but not the date services were rendered, the number of hours spent on any given day and the person by whom those services were performed, the hourly rate and the total amounts billed in each entry and overall if they both appear.

2) Please also provide copies of the petition, answer, all pleadings and records released by the University in the same case, *PETA v Regents*.

The stated purpose of this request within the meaning of California Government Code § 6253.1 is to determine how much Regents has expended in defending its response to PETA's PRA requests at issue in that matter.

This request is being made in the public interest, and furnishing this information will benefit the public's understanding of public institutions and their role in properly responding to PRA requests. The requested information is of importance to the nonprofit policy advocacy groups engaged on these relevant issues, news media covering the issues, and any others concerned with government activities on this subject, or as the United States Supreme Court once noted in the context of the federal FOIA, what their government, which under open records laws includes publicly funded academic institutions, is up to.

If the records are not currently in your possession, please notify me in writing, and provide any and all information about where and with whom the records may be found, requested, viewed or copied, and/or when they will become available to your office. Given the nature of the records responsive to this request, all should be in electronic format, and therefore there should be no photocopying costs. If there is any cost associated with the searching, copying or production of these records, however, please also notify me in writing immediately.

We understand we owe the office the cost of material, required to satisfy this request. We agree to pay legitimate expenses up to \$100.00. If you estimate costs will exceed that please notify us immediately and break down the expected costs. This information is not, however, being sought for commercial purposes. If for any reason, our request for information cannot be satisfied without cost, then prior to any copying, please notify us immediately with the reasons for the denial and the cost that will be involved. Please produce these records electronically if possible to avoid unnecessary fees and otherwise conserve resources.

The undersigned do not seek the information for a commercial purpose. Therefore, in accordance with generally accepted policy, if there are any costs associated with this request, we request a waiver or reduction of any fees connected with this request as disclosure of these requested records are for the public purpose. EPA is a non-profit organization with research, legal, investigative journalism and publication functions, as well as a transparency initiative seeking public records relating to environmental and energy policy and how policymakers use public resources, all of which include broad dissemination of public information obtained under open records and freedom of information laws. As such, it has no commercial interest possible in these records and the Office is permitted to and does exercise discretion in waiving or reducing fees on that basis.

If you deny any part of this request or withhold any documents responsive to this request, please describe the material withheld and specify in detail the statutory or administrative basis for withholding it. Please cite each specific exemption to the California Government Code that you have determined justifies the refusal to produce the records.

If you have any questions, or require clarification of this request, please feel free contact me at any time using the contact information listed with this request. Thank you for your prompt attention, time and consideration to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Rob Schilling', with a long horizontal flourish extending to the right.

Rob Schilling
Executive Director
Schilling@allhookedup.com