



IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA FILED IN DISTRICT COURT
OKLAHOMA COUNTY

REBECCA NAGLE,
Plaintiff,

NOV - 8 2022

RICK WARREN
COURT CLERK

v.

41 _____

J. KEVIN STITT *in his official capacity as*
GOVERNOR OF THE STATE OF
OKLAHOMA; *and* JOHN M.
O'CONNOR *in his official capacity as*
ATTORNEY GENERAL OF THE STATE
OF OKLAHOMA,

Case No.

CV - 2022 - 2187

Defendants.

**PETITION FOR RELIEF FOR VIOLATIONS OF THE
OKLAHOMA OPEN RECORDS ACT**

Plaintiff Rebecca Nagle, by and through undersigned counsel, brings this Petition against Defendant J. Kevin Stitt in his official capacity as Governor of the State of Oklahoma and Defendant John M. O'Connor in his official capacity as Attorney General of the State of Oklahoma (collectively "Defendants") and alleges as follows:

PRELIMINARY STATEMENT

1. Nagle brings this action pursuant to Okla. Stat. tit. 51, § 24A.17(B) regarding Defendants' wrongful withholding of and failure to produce in a prompt and reasonable manner requested records of a public official and/or public body subject to disclosure under the Oklahoma Open Records Act ("ORA"), Okla. Stat. tit. 51, §§ 24A.1-24A.33.

PARTIES

A. Plaintiff Rebecca Nagle

2. Based in Tahlequah, Oklahoma, Plaintiff Rebecca Nagle ("Nagle") is an award-winning writer, audio journalist, and citizen of Cherokee Nation. Since 2018, Nagle has

provided leading coverage of issues related to *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020), the United States Supreme Court case that reaffirmed the Muscogee (Creek) Nation's treaty boundaries in Oklahoma as a present-day "Indian reservation" and resolved questions concerning criminal jurisdiction in parts of Oklahoma. Nagle's work has appeared in major publications such as The Washington Post, The Guardian, USA Today, and The Atlantic. She is also known for her chart-topping podcast This Land, which told the story of the United States Supreme Court case *Sharp v. Murphy* and won Nagle the American Mosaic Journalism Prize in 2020. *See* 140 S. Ct. 2412 (2020) (per curiam) ("*Murphy*").

3. Nagle is the author of the forthcoming book, *Indian Territory* (HarperCollins Publishers LLC), which expands on her earlier reporting regarding the complex legal and political issues pertaining to Native American land and Indigenous rights, including those raised by *McGirt* and other related cases such as *Murphy*.

4. Maddie Stone is a Research Assistant employed by Nagle for her forthcoming book, *Indian Territory* (HarperCollins Publishers LLC). During the course of Ms. Stone's employment, she drafted and submitted ORA requests on behalf of Nagle to several public officials and public bodies in Oklahoma. On multiple occasions, Ms. Stone followed up with public officials and/or public bodies regarding the ORA requests she submitted on Nagle's behalf.

B. Defendant J. Kevin Stitt

5. Defendant J. Kevin Stitt ("Stitt") is currently the Governor of the State of Oklahoma, an office he has held since 2019.

6. As Governor of Oklahoma, Stitt is a "public official" within the meaning of, and subject to, the ORA. *See id.* § 24A.3(4).

7. The Office of the Governor is a “public body” within the meaning of, and subject to, the ORA. *See* Okla. Stat. tit. 51, § 24A.3(2).

8. Stitt’s place of business as Governor is located within Oklahoma County.

C. Defendant John M. O’Connor

9. Defendant John M. O’Connor (“O’Connor”) is currently the Attorney General of the State of Oklahoma, an office he has held since 2021.

10. As Attorney General of the State of Oklahoma, O’Connor is a “public official” within the meaning of, and subject to, the ORA. *See id.* § 24A.3(4).

11. The Office of the Attorney General is a “public body” within the meaning of, and subject to, the ORA. *See* Okla. Stat. tit. 51, § 24A.3(2).

12. O’Connor’s place of business as Attorney General is located within Oklahoma County.

STATEMENT OF FACTS

D. McGirt—a historic ruling by the United States Supreme Court

13. The recent United States Supreme Court case *McGirt v. Oklahoma* was a historic decision for the state of Oklahoma, Muscogee (Creek) Nation, other tribal nations across the state¹, and more broadly for tribal sovereignty and treaty rights in the United States. *See* 140 S. Ct. 2452 (2020). Specifically, *McGirt* reaffirmed the Muscogee (Creek) Nation’s treaty reservation boundaries and created a considerable shift in criminal prosecutions on tribal land in Oklahoma in cases involving Native Americans. *See id.*

¹ In the months following *McGirt*, Oklahoma courts extended the ruling to the Cherokee Nation, Chickasaw Nation, Choctaw Nation, Seminole Nation, and Quapaw Nation.

14. It is in the public interest for the events surrounding the historic Supreme Court decision, including the actions and communications of Oklahoma's public officials, to be well documented and accurately reported.

15. As alleged below in detail, Nagle is unlawfully being denied prompt and reasonable access by Defendants to open records pertaining to the actions and communications of public officials leading up to and following the *McGirt* decision.

E. Nagle's three Open Records Act requests to the Office of Governor Stitt

16. On October 22, 2021, Nagle submitted an ORA Request to the Office of Governor Stitt ("First Governor Request") via email for certain public records relevant to her upcoming book. Specifically, Nagle requested all email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by certain individuals in the Office of the Governor to certain email addresses from January 1, 2017, through the date the search was conducted containing any of the specified search terms: McGirt; McGirt v. Oklahoma; Murphy; Sharp v. Murphy; Carpenter v. Murphy; One Oklahoma; Commission on Cooperative Sovereignty; and SAFETEA. A true and correct copy of Nagle's First Governor Request is attached as **Exhibit A**.

17. A representative of the Office of Governor Stitt acknowledged receipt of Nagle's First Governor Request via email on October 27, 2021. A true and correct copy of the acknowledgment is attached as **Exhibit B**.

18. As of the filing of this Petition, it has been more than a year since Nagle submitted her First Governor Request on October 22, 2021.

19. On December 28, 2021, Nagle sent a second ORA Request to the Office of Governor Stitt ("Second Governor Request") via email for certain public records relevant to her upcoming book. Specifically, Nagle requested all email communications (including emails,

email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by certain individuals in the Office of the Governor to certain email addresses from January 1, 2017, through the date the search was conducted containing any of the specified search terms: McGirt; McGirt v. Oklahoma; Murphy; Sharp v. Murphy; Carpenter v. Murphy; One Oklahoma; Commission on Cooperative Sovereignty; and SAFETEA. A true and correct copy of Nagle's Second Governor Request is attached as **Exhibit C**.

20. A representative of the Office of Governor Stitt acknowledged receipt of Nagle's Second Governor Request via email on January 3, 2022. A true and correct copy of the acknowledgment is attached as **Exhibit D**.

21. As of the filing of this Petition, it has been over ten months since Nagle submitted her Second Governor Request on December 28, 2021.

22. On February 9, 2022, Nagle sent a third ORA Request to the Office of Governor Stitt ("Third Governor Request") via email for certain public records relevant to her upcoming book. Specifically, Nagle requested all communications (including physical letters, emails, email attachments, calendars and calendar attachments) from January 1, 2005 to December 31, 2005 and January 1, 2020 to December 31, 2020, between Oklahoma Senator James Inhofe and former Oklahoma Governor Brad Henry or current Oklahoma Governor Kevin Stitt containing one or more of specified search terms including: SAFTEA; Safe, Accountable, Flexible, Efficient Transportation Equity Act; EPA; Environmental oversight; Indian; Indian lands; Tribal; Tribal lands; Cherokee; Choctaw; Chickasaw; Muscogee; Creek; Seminole; McGirt; McGirt v. Oklahoma; Murphy; and Murphy v. Sharp. A true and correct copy of Nagle's Third Governor Request is attached as **Exhibit E**.

23. A representative of the Office of Governor Stitt acknowledged receipt of Nagle's Third Governor Request via email on February 10, 2022. A true and correct copy of the acknowledgment is attached as **Exhibit F**.

24. As of the filing of this Petition, it has been nearly nine months since Nagle submitted her Third Governor Request on February 9, 2022.

25. Nagle has contacted the Office of Governor Stitt multiple times concerning the status of her outstanding ORA requests. On at least one occasion, Nagle's counsel followed up on her behalf.

26. As of the filing of this Petition, the Office of Governor Stitt has not made any records available to Nagle in response to her First, Second or Third Governor Requests.

F. Nagle's Open Records Act request to the Office of Attorney General O'Connor

27. On or around October 22, 2021, Nagle sent an ORA Request to the Office of Attorney General O'Connor ("AG Request") via email for certain public records relevant to her upcoming book. Specifically, Nagle requested all emails including attachments between former Attorney General Mike Hunter or current Attorney General John O'Connor and certain email addresses from January 1, 2017 to October 21, 2021, containing any of the specified search terms: McGirt; McGirt v. Oklahoma; Murphy; Sharp v. Murphy; Carpenter v. Murphy; One Oklahoma; and Commission on Cooperative Sovereignty. A true and correct copy of Nagle's AG Request is attached as **Exhibit G**.

28. A representative of the Office of Attorney General O'Connor acknowledged receipt of Nagle's AG Request via email on October 26, 2021. A true and correct copy of the acknowledgment is attached as **Exhibit H**.

29. As of the filing of this Petition, it has been more than a year since Nagle submitted her AG Request on October 26, 2021.

30. Nagle has contacted the Office of Attorney General O'Connor multiple times concerning the status of her outstanding ORA request. On at least one occasion, Nagle's counsel followed up on her behalf.

31. As of the filing of this Petition, the Office of Attorney General O'Connor has not made any records available to Nagle in response to her AG Request.

CAUSES OF ACTION

Violations of the Oklahoma Open Records Act by Defendants

32. The purpose of the ORA is "to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power." Okla. Stat. tit. 51, § 24A.2.

33. Accordingly, the ORA provides that "[a]ll records of public bodies and public officials shall be open to any person for inspection, copying, or mechanical reproduction during regular business hours." *Id.* § 24A.5.

34. "A public body must provide prompt, reasonable access to its records A delay in providing access to records shall be limited solely to the time required for preparing the requested documents and the avoidance of excessive disruptions of the public body's essential functions." *Id.* § 24A.5(6).

35. Disclosure of the requested records is intended to, and reasonably likely to, enable Nagle, a published author, to learn more about state government in several key areas (*e.g.*, tribal relations, public safety, energy, etc.) and evaluate whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

36. Information contained in the requested records will be made public in *Indian Territory* (HarperCollins Publishers LLC), Nagle's forthcoming book that expands on her earlier reporting regarding the complex legal and political issues concerning Native American land and

Indigenous rights, including those raised by *McGirt* and other related cases.

37. Accordingly, disclosure of the requested records serves the public interest.

COUNT ONE – Violations of the Oklahoma Open Records Act by Governor Stitt and/or the Office of the Governor

38. Nagle repeats, realleges, and incorporates the allegations set forth in paragraphs 1 through 37 as though fully set forth herein.

39. The records sought by Nagle's First, Second, and Third Governor Requests are records of a public official and/or public body as defined by the ORA. Okla. Stat. tit. 51, § 24A.3.

40. Governor Stitt and/or the Office of the Governor possess records responsive to Nagle's First, Second, and Third Governor Requests.

41. There is no legal basis for the failure of Governor Stitt and/or the Office of the Governor to disclose the requested records.

42. Governor Stitt and/or the Office of the Governor have failed to provide prompt, reasonable access to records responsive to Nagle's three requests for public records as required by the ORA.

43. Governor Stitt and/or the Office of the Governor have violated the ORA by wrongfully withholding the records requested by Nagle and by failing to provide prompt, reasonable access to open records. Governor Stitt and/or the Office of the Governor will continue to be in violation of the ORA absent declaratory and injunctive relief from this Court.

COUNT TWO – Violations of the Oklahoma Open Records Act by Attorney General O'Connor and/or the Office of the Attorney General

44. Nagle repeats, realleges, and incorporates the allegations set forth in paragraphs 1 through 37 as though fully set forth herein.

45. The records sought by Nagle's AG Request are records of a public official and/or

public body as defined by the ORA. Okla. Stat. tit. 51, § 24A.3.

46. Attorney General O'Connor and/or the Office of the Attorney General possess records responsive to Nagle's AG Request.

47. There is no legal basis for the failure of Attorney General O'Connor and/or the Office of the Attorney General to disclose the requested records.

48. Attorney General O'Connor and/or the Office of the Attorney General have failed to provide prompt, reasonable access to records responsive to Nagle's request for public records as required by the ORA.

49. Attorney General O'Connor and/or the Office of the Attorney General have violated the ORA by wrongfully withholding the records requested by Nagle and by failing to provide prompt, reasonable access to open records. Attorney General O'Connor and/or the Office of the Attorney General will continue to be in violation of the ORA absent declaratory and injunctive relief from this Court.

REQUESTED RELIEF

WHEREFORE, Nagle respectfully requests the Court enter an order:

- A. Declaring the records sought by Nagle's First, Second and Third Governor Requests and AG Request to be open records available to the public for inspection and copying in accordance with the Oklahoma Open Records Act;
- B. Declaring Defendants' failure to provide the requested records in a prompt, reasonable manner an unlawful violation of the Oklahoma Open Records Act;
- C. Requiring the immediate production of all requested records that have been improperly withheld by Defendants;
- D. Awarding Nagle reasonable attorney's fees and the costs of this action; and

E. Granting such other and further relief as the Court deems just and proper.

DATED: November 8, 2022

Respectfully submitted,

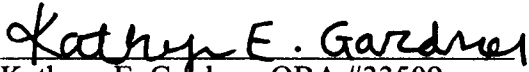

Kathryn E. Gardner, OBA #33509
Reporters Committee for Freedom of the Press
110 S. Hartford Ave., Ste. 2524
Tulsa, OK 74120
T: (918) 255-0060
kgardner@rcfp.org
Counsel for Plaintiff
Rebecca Nagle

EXHIBIT A

VIA ELECTRONIC MAIL

October 22, 2021

Office of the Governor of Oklahoma
ORA Office, Room 212
2300 North Lincoln Boulevard
Oklahoma City, OK 73105

Dear Records Access Officer,

Pursuant to Title 51 Oklahoma Statutes § §24A.1 et seq., I, Madeleine Stone, make the following request for records.

Requested Records

I request that your agency produce the following records within 10 business days:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the individuals in the office of the Governor specified in list (A) to email addresses outside the office of the Governor specified in list (B) containing any of the search terms listed in (C):

(A): Specified Officials

- Governor Kevin Stitt (kevin.stitt@gov.ok.gov)
- Former Governor Mary Fallin (mary.fallin@gov.ok.gov)
- Deputy General Counsel Jeffrey Cartmell (jeffrey.cartmell@gov.ok.gov)
- Former Policy Counsel Adria Berry (adria.berry@gov.ok.gov)
- Deputy Chief of Staff Zachary Lee (zachary.lee@gov.ok.gov)

(B): Specified Email Addresses

- mike.hunter@oag.ok.gov
- john.oconnor@oag.ok.gov
- kenneth.wagner@ee.ok.gov
- adria@okpetro.com
- chuck-hoskin@cherokee.org
- sara-hill@cherokee.org
- chrissie-nimmo@cherokee.org

- tina-glory-jordan@cherokee.org
- kim-teehee@cherokee.org
- bill-baker@cherokee.org
- todd-hembree@cherokee.org
- dhill@mcn-nsn.gov
- rwiley@mcnag.com
- jfloyd@mcn-nsn.gov
- kdellinger@mcnag.com
- khaskins@mcnag.com
- damullon@venable.com
- chief@sno-nsn.gov
- gbatton@choctawnation.com
- bmallett@soonerlaw.com
- dburrage@choctawnation.com
- tammy.gray@chickasaw.net
- bill.anoatubby@chickasaw.net
- stephen.greetham@chickasaw.net
- debra.gee@chickasaw.net
- bevanson@gibsondunn.com
- RDunn@gibsondunn.com
- RLeonard@Leonard-Law.net
- wheeler.andrew@epa.gov
- ajferate@spencerfane.com
- michele.anderson@occ.ok.gov
- todd.hiett@occ.ok.gov
- bob.anthony@occ.ok.gov
- dana.murphy@occ.ok.gov
- larry.snodgrass@lpgas.ok.gov
- chandra.heitinger@lpgas.ok.gov
- jonathan.allen@mines.ok.gov
- Kurt.Klutts@mines.ok.gov
- j.larrynichols@devonenergy.com
- larry.nichols@dvn.com
- nicholsl@dvn.com
- alan.armstrong@williams.com
- brent.bolen.odaff@gmail.com
- suzie.brewster@hotmail.com
- haroldhamm@contres.com
- hhamm@hilandpartners.com
- jrobson@tulsarealtors.com

- mstitt@oerb.com

(C) Search Terms

- McGirt
- McGirt v. Oklahoma
- Murphy
- Sharp v. Murphy
- Carpenter v. Murphy
- One Oklahoma
- Commission on Cooperative Sovereignty
- SAFETEA

Please provide all responsive records from January 1, 2017, through the date that the search is conducted.

Fee Waiver Request

In accordance with 51 O.S. tit. 51, § 24A.5(4), I request that your office charge no search fees in connection with processing this request for records. The subject of this request concerns the operations of the Oklahoma state government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way.

Specifically, the requested records have the potential to shed light on how Oklahoma's oil and gas industry has sought to influence state politics and the extent to which state politicians have solicited input from the oil and gas industry prior to, and in wake of, the July 9, 2020 Supreme Court decision in *McGirt v. Oklahoma*¹. Records with the potential to shed light on this matter would contribute significantly to public understanding of what a post-*McGirt* future looks like for Oklahoma's oil and gas industry, which employed more than 53,000 citizens in 2015 and is a major contributor to state revenues².

Knowledge obtained through this request will be made public in *Indian Territory*, a forthcoming book on *McGirt v. Oklahoma* authored by journalist Rebecca Nagle, which will be published by HarperCollins Publishers LLC in 2022³. Through her award-winning investigative podcast *This Land*⁴ and print articles written for national media outlets

¹ See: https://www.supremecourt.gov/opinions/19pdf/18-9526_9okb.pdf

² See: <https://www.okstatechamber.com/files/OilGasStudy2016-ExecutiveSummary.pdf>

³ See: <https://www.curtisbrown.co.uk/client/rebecca-nagle/work/indian-territory>

⁴ See: <https://crooked.com/podcast-series/this-land/>

including *The Atlantic*⁵ and *The Guardian*⁶, Ms. Nagle has spent years informing the public about complex legal and political issues concerning Native American land and indigenous rights, including the issues raised by *McGirt*.

Therefore, in accordance with O.S. tit. 51, § 24A.5(4), I respectfully request that you limit any copying fees to the reasonable, direct costs of record copying, or mechanical reproduction, if any such costs are incurred. I ask that if my request for a fee waiver is denied in whole or in part, that you contact me prior to incurring any costs.

Further Correspondence

Where possible, please provide responsive material in electronic format by email (maddiemartastone@gmail.com) or in PDF or TIFF format on a USB drive. Please send any responsive material being sent by mail to: 2410 Catharine Street, Philadelphia PA, 19146.

I look forward to working with your agency on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact me at maddiemartastone@gmail.com or 301-785-1239. Also, if the request for a fee waiver is not granted in full, please contact me immediately upon making such a determination.

Sincerely,
Madeleine Stone
On behalf of
Rebecca Nagle/Harper Collins

⁵ See:

<https://www.theatlantic.com/ideas/archive/2020/05/oklahomas-suspect-argument-front-supreme-court/611284/>; <https://www.theatlantic.com/ideas/archive/2020/06/tragedy-all-around-trumps-tulsa-rally/613276/>

⁶ See:

<https://www.theguardian.com/us-news/2020/jan/15/we-are-still-here-native-americans-fight-to-be-counted-in-us-census>;

<https://www.theguardian.com/us-news/2020/apr/24/us-native-americans-left-out-coronavirus-data>

EXHIBIT B

From: Maddie Stone <maddiemartastone@gmail.com>
Sent: Friday, October 22, 2021 2:42 PM
To: Gov. Stitt Press Office <press@gov.ok.gov>
Subject: open records request for office of the Governor

Hello,

Please see the attached open records request for the office of the Oklahoma Governor. I would be grateful if you could confirm receipt of this request. Thank you and have a great day.

Sincerely,

Maddie Stone

--

maddiestonewriting.com

From: Maddie Stone <maddiemartastone@gmail.com>
Sent: Tuesday, October 26, 2021 3:36 PM
To: Gov. Stitt Press Office <press@gov.ok.gov>
Subject: open records request for office of the Governor

Hello, I wanted to follow up to be sure this request was received. Thank you for your time.

Maddie

From: Gov. Stitt Press Office <press@gov.ok.gov>
Sent: Wednesday, October 27, 2021 10:57 AM
To: Maddie Stone <maddiemartastone@gmail.com>
Subject: open records request for office of the Governor

Hi Maddie – sorry for the delay. Received!

-Carly

EXHIBIT C

VIA ELECTRONIC MAIL December 28, 2021

Office of the Governor of Oklahoma
ORA Office, Room 212
2300 North Lincoln Boulevard
Oklahoma City, OK 73105

Dear Records Access Officer,

Pursuant to Title 51 Oklahoma Statutes § §24A.1 et seq., I, Madeleine Stone, make the following request for records.

Requested Records

I request that your agency produce the following records within 10 business days:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the individuals in the office of the Governor specified in list (A) to email addresses outside the office of the Governor specified in list (B) containing any of the search terms listed in (C):

(A): Specified Officials

- Governor Kevin Stitt (kevin.stitt@gov.ok.gov)
- Former Governor Mary Fallin (mary.fallin@gov.ok.gov)
- Deputy General Counsel Jeffrey Cartmell (jeffrey.cartmell@gov.ok.gov)
- Former Policy Counsel Adria Berry (adria.berry@gov.ok.gov)
- Deputy Chief of Staff Zachary Lee (zachary.lee@gov.ok.gov)

(B): Specified Email Addresses

- Trent.Baggett@dac.state.ok.us
- Steve.Kunzweiler@dac.state.ok.us
- mark.matloff@dac.state.ok.us
- Kevin.Buchanan@dac.state.ok.us
- Will.Drake@dac.state.ok.us
- Paul.Smith@dac.state.ok.us

- Jeff.Smith@dac.state.ok.us
- Larry.edwards@dac.state.ok.us
- Craig.Ladd@dac.state.ok.us
- Timothy.Webster@dac.state.ok.us
- Jack.Thorp@dac.state.ok.us
- jimmy.dunn@dac.state.ok.us
- matt.ballard@dac.state.ok.us
- chuck.sullivan@dac.state.ok.us
- carol.iski@dac.state.ok.us
- Jason.Hicks@dac.state.ok.us
- Kenny.Wright@dac.state.ok.us
- Max.Cook@dac.state.ok.us
- Greg.Mashburn@dac.state.ok.us
- D21DA@dac.state.ok.us
- vregalado@tcsso.org
- coalcosheriffjump@gmail.com
- pushcosheriff@hotmail.com
- shadley@nowatasheriff.org
- sheriff@pontotocountysheriff.com
- lcso401@outlook.com
- awoodruff@latimercountysheriff.com
- gary.dodd@johnstoncountyoksheriff.org
- mgrisham@love.okcounties.org
- donald.yow@mcsheriffoffice.org
- jchennault@cherokeecosso.org
- hwinfrey@craigcountysso.com
- bbowling@creekcountysheriff.com
- jmullett@garvincountysheriff.net
- teparkccso@yahoo.com
- sowen@countycourthouse.org
- sem6701@yahoo.com
- asimmons@muskogeeso.org
- l.lane@scsok.org
- celliott@wagonercounty.ok.gov
- cmorris@pittsburgsheriff.com
- beckj@delcosheriff.org

(C) Search Terms

- McGirt
- McGirt v. Oklahoma
- Murphy
- Sharp v. Murphy
- Carpenter v. Murphy
- One Oklahoma
- Commission on Cooperative Sovereignty
- SAFETEA

Please provide all responsive records from January 1, 2017, through the date that the search is conducted.

If there are any fees associated with filling this request, I ask that you please inform me of the charges first. The requested documents will be made available to the general public, and the request is being made for non-commercial purposes.

Where possible, please provide responsive material in electronic format by email (maddiemartastone@gmail.com) or in PDF or TIFF format on a USB drive. Please send any responsive material being sent by mail to: 2410 Catharine Street, Philadelphia PA, 19146.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact me at maddiemartastone@gmail.com or 301-785-1239.

Sincerely,
Madeleine Stone
On behalf of
Rebecca Nagle/Harper Collins

EXHIBIT D

From: Maddie Stone <maddiemartastone@gmail.com>
Sent: Tuesday, December 28, 2021 1:29 PM
To: Gov. Stitt Press Office <press@gov.ok.gov>
Subject: open records request

Hello,

Please find attached an open records request for Governor Stitt's office. I would be grateful if you could confirm receipt of this request. Please do not hesitate to contact me if you have any questions.

Sincerely,

Maddie Stone

--

Science Journalist, Earth Science PhD
maddiestonewriting.com

From: Gov. Stitt Press Office <press@gov.ok.gov>
Sent: Thursday, December 30, 2021 8:29 AM
To: Sumer Curry <Sumer.Curry@gov.ok.gov>
Subject: open records request

Hi Sumer,

Here is another open records request. Thank you!

From: Sumer Curry <Sumer.Curry@gov.ok.gov>
Sent: Monday, January 3, 2022 11:25 AM
To: Maddie Stone <maddiemartastone@gmail.com>
Subject: open records request

Maddie,

We have received your request and will begin processing. Due to the size and scope of your request there is no possible way to meet your timeline.

Thank you,
Sumer

EXHIBIT E

VIA ELECTRONIC MAIL

February 9, 2022

Office of the Governor of Oklahoma
ORA Office, Room 212
2300 North Lincoln Boulevard
Oklahoma City, OK 73105

Dear Records Access Officer,

Pursuant to Title 51 Oklahoma Statutes § §24A.1 et seq., I, Madeleine Stone, make the following request for records.

Requested Records

All communications, including physical letters, emails, email attachments, calendars and calendar attachments between Oklahoma Senator James Inhofe and the following individuals in the Oklahoma Office of the Governor:

Former Oklahoma Governor Brad Henry
Current Oklahoma Governor Kevin Stitt

That include one or more of the following keywords:

- SAFTEA
- Safe, Accountable, Flexible, Efficient Transportation Equity Act
- EPA
- Environmental oversight
- Indian
- Indian lands
- Tribal
- Tribal lands
- Cherokee
- Choctaw
- Chickasaw
- Muscogee
- Creek
- Seminole
- McGirt
- McGirt v. Oklahoma

- Murphy
- Murphy v. Sharp

Please limit your search to the following windows:

January 1, 2005 — December 31, 2005

January 1, 2020 — December 31, 2020

If there are any fees associated with filling this request, I ask that you please inform me of the charges first. The requested documents will be made available to the general public, and the request is being made for non-commercial purposes.

Where possible, please provide responsive material in electronic format by email (maddiemartastone@gmail.com) or in PDF or TIFF format on a USB drive. Please send any responsive material being sent by mail to: 2410 Catharine Street, Philadelphia PA, 19146.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact me at maddiemartastone@gmail.com or 301-785-1239.

Sincerely,
Madeleine Stone
On behalf of
Rebecca Nagle/Harper Collins

EXHIBIT F

From: Maddie Stone <maddiemartastone@gmail.com>
Sent: Wednesday, February 9, 2022 9:10 AM
To: Gov. Stitt Press Office <press@gov.ok.gov>
Subject: open records request

Hello,

Please see attached an open records request for the Office of the Governor. I would be grateful if you could confirm receipt of this request.

Sincerely,

Maddie Stone

--

Science Journalist, Earth Science PhD
maddiestonewriting.com

From: Gov. Stitt Press Office <press@gov.ok.gov>
Sent: Thu, Feb 10, 2022 at 12:48 PM
To: Maddie Stone <maddiemartastone@gmail.com>
Subject: open records request

Hi Maddie,

I received your passage, and have passed your request along.

Thank you

EXHIBIT G

OPEN RECORDS ACT REQUEST

Oklahoma Office of the Attorney General

Media General Public

Information Requested: Please state with specificity the nature of your request, the records you seek, and the applicable time frames.

Please see attached "records sought" document.

E-MAIL ADDRESS

Purpose of Request: Personal Commercial Public Interest

Madeline Stone

NAME OF PERSON MAKING REQUEST (Please Print Name)

2410 Catharine Street

ADDRESS

Philadelphia

PA

19146

CITY

STATE

ZIP

301-785-1239

PHONE

FAX

Harper Collins Publishing Company

If this is a media request, who are you affiliated with.

Madeline Stone

SIGNATURE

10/21/21

DATE

You will be notified of any applicable fees pursuant to the Oklahoma Open Records Act, 51 O.S. §§ 24A.1 - 24A.30. Do NOT send money prior to receiving notification of applicable fees and the exact amount due.

RETURN FORM TO: Oklahoma Office of the Attorney General
Abby Dillsaver, General Counsel to the Attorney General
313 N.E. 21st St.
Oklahoma City, Oklahoma 73105
Phone: (405) 522-4400 Fax: (405) 522-0669
Email: openrecordsrequests@oag.ok.gov



I am seeking all emails, including attachments, between former Attorney General Mike Hunter (mike.hunter@oag.ok.gov) or current Attorney General John O'Connor (john.oconnor@oag.ok.gov) and one or more of the following email addresses:

- kevin.stitt@gov.ok.gov
- mary.fallin@gov.ok.gov
- jeffrey.cartmell@gov.ok.gov
- kenneth.wagner@ee.ok.gov
- adria@okpetro.com
- adria.berry@gov.ok.gov
- zachary.lee@gov.ok.gov
- chuck-hoskin@cherokee.org
- sara-hill@cherokee.org
- chrissie-nimmo@cherokee.org
- tina-glory-jordan@cherokee.org
- kim-teehee@cherokee.org
- bill-baker@cherokee.org
- todd-hembree@cherokee.org
- dhill@mcn-nsn.gov
- rwiley@mcnag.com
- jfloyd@mcn-nsn.gov
- kdellinger@mcnag.com
- khaskins@mcnag.com
- damullon@venable.com
- chief@sno-nsn.gov
- gbatton@choctawnation.com
- bmallett@soonerlaw.com
- dburrage@choctawnation.com
- tammy.gray@chickasaw.net
- bill.anoatubby@chickasaw.net
- stephen.greetham@chickasaw.net
- debra.gee@chickasaw.net
- bevanson@gibsondunn.com
- RDunn@gibsondunn.com
- RLeonard@Leonard-Law.net
- wheeler.andrew@epa.gov
- ajferate@spencerfane.com
- michele.anderson@occ.ok.gov
- todd.hiett@occ.ok.gov
- bob.anthony@occ.ok.gov

- dana.murphy@occ.ok.gov
- larry.snodgrass@lpgas.ok.gov
- chandra.heizinger@lpgas.ok.gov
- jonathan.allen@mines.ok.gov
- Kurt.Klutts@mines.ok.gov
- j.larrynichols@devonenergy.com
- larry.nichols@dvn.com
- nicholsl@dvn.com
- alan.armstrong@williams.com
- brent.bolen.odaff@gmail.com
- suzie.brewster@hotmail.com
- haroldhamm@contres.com
- hhamm@hilandpartners.com
- jrobson@tulsarealtors.com
- mstitt@oerb.com

That include one or more of the following search terms:

- McGirt
- McGirt v. Oklahoma
- Murphy
- Sharp v. Murphy
- Carpenter v. Murphy
- One Oklahoma
- Commission on Cooperative Sovereignty

Sent or received between January 1, 2017 and October 21st, 2021.

EXHIBIT H



OFFICE OF THE
ATTORNEY GENERAL

Abby Dillsaver
General Counsel

October 26, 2021

Madeleine Stone
2410 Catharine St.
Philadelphia, PA 19146

Sent via electronic mail to maddiemartastone@gmail.com

Re: Open Records Act request, our internal number 21 ORA 205.

Dear Ms. Stone,

This letter is to acknowledge your email, dated October 22, 2021, in which you make an Open Records Act request, regarding the following:

I am seeking all emails, including attachments, between former Attorney General Mike Hunter (mike.hunter@oag.ok.gov) or current Attorney General John O'Connor (john.oconnor@oag.ok.gov) and one or more of the following email addresses:

kevin.stitt@gov.ok.gov
mary.fallin@gov.ok.gov
jeffrey.cartmell@gov.ok.gov
kenneth.wagner@ee.ok.gov
adria@okpetro.com
adria.berry@gov.ok.gov
zachary.lee@gov.ok.gov
chuck-hoskin@cherokee.org
sara-hill@cherokee.org
chrissie-nimmo@cherokee.org
tina-glory-jordan@cherokee.org
kim-teehee@cherokee.org
bill-baker@cherokee.org
todd-hembree@cherokee.org
dhill@mcn-nsn.gov
rwiley@mcnag.com
jfloyd@mcn-nsn.gov
kdellinger@mcnag.com
khaskins@mcnag.com
damullon@venable.com
chief@sno-nsn.gov
gbatton@choctawnation.com

stephen.greetham@chickasaw.net
debra.gee@chickasaw.net
bevanson@gibsondunn.com
RDunn@gibsondunn.com
RLeonard@Leonard-Law.net
wheeler.andrew@epa.gov
ajferate@spencerfane.com
michele.anderson@occ.ok.gov
todd.hiett@occ.ok.gov
bob.anthony@occ.ok.gov
dana.murphy@occ.ok.gov
larry.snodgrass@lpgas.ok.gov
chandra.heitinger@lpgas.ok.gov
jonathan.allen@mines.ok.gov
Kurt.Klutts@mines.ok.gov
j.larrynichols@devonenergy.com
larry.nichols@dvn.com
nicholsl@dvn.com
alan.armstrong@williams.com
brent.bolen.odaff@gmail.com
suzie.brewster@hotmail.com
haroldhamm@contres.com

bmallett@soonerlaw.com
dburrage@choctawnation.com
tammy.gray@chickasaw.net
bill.anoatubby@chickasaw.net

hhamm@hilandpartners.com
jrobson@tulsarealtors.com
mstitt@oerb.com

that include one or more of the following search terms:

- McGirt
- McGirt v. Oklahoma
- Murphy
- Sharp v. Murphy
- Carpenter v. Murphy
- One Oklahoma
- Commission on Cooperative Sovereignty

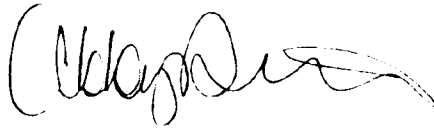
Sent or received between January 1, 2017 and October 21st, 2021.

Oklahoma's Open Records Act, 51 O.S.2011 & Supp.2020, §§ 24A.1 – 24A.31, provides individuals with access to records while authorizing an agency to employ reasonable procedures to protect the integrity and organization of the records and to prevent excessive disruption of the agency's essential functions. 51 O.S.Supp.2020, § 24A.5(5).

We are reviewing your request and will be conducting a search for responsive records. Our review process includes initial intake, records search, legal review, and redaction of privileged or exempted records that may be captured by the search. Although the Oklahoma Open Records Act generally presumes all records are open, it includes many exemptions and exceptions to this general rule, such as an exemption which permits our office to maintain the confidentiality of our litigation and investigation files. 51 O.S.Supp.2020, § 24A.12. If your request is particularly large in scope or includes any records subject to these exemptions or exceptions, it may take additional time to review and fulfill your records request.

Please do not hesitate to contact our office if you have any questions or you would like to narrow the scope of your request. We look forward to working with you.

Sincerely,



Abby Dillsaver
GENERAL COUNSEL