

From: Anne Galloway <anne.galloway.vermont@gmail.com>

Sent: Wednesday, April 26, 2023 8:55 AM

To: Jandl, Lauren <Lauren.Jandl@vermont.gov>; charity.clark@vermont.gov; Kurrle, Lindsay <Lindsay.Kurrle@vermont.gov>

Subject: Public Records Request re: EB-5 communications

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Charity Clark and Lindsay Kurrle:

Please find attached a public records request for EB-5 communications.

Many thanks in advance for your help.



PRR request EB-5 communications...

Kind regards,

Anne

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Anne Galloway

VTDigger Founder and Editor-At-Large

802-595-9159

Dear Secretary Lindsay Kurrle and Attorney General Charity Clark:

Pursuant to Vermont's Public Records Act, 1 VSA §§ 315–20, I am checking in on my outstanding request for copies of the following public records that have not previously been provided to the Vermont Journalism Trust and requesting additional documents based on a recent production in *Sutton v. Vermont Regional Center, et al.*, Superior Court Case No. 100-5-17 Lecv:

1. Communications of the following state employees, including but not limited to e-mails, texts and voicemails, regarding Jay Peak Resort, Q Burke, AnC Bio, the Renaissance Project, Flight Design USA, the Newport Marina and Conference Center, Menck, the Coventry/Newport Airport, Ariel Quiros, William Stenger, Douglas Hulme, VTDigger, former VTDigger reporters Hilary Niles and Nat Rudarakanchana, and Anne Galloway:
 - a. Peter Shumlin, former Governor of Vermont
 - b. Bill Lofy, former chief of staff to Gov. Shumlin
 - c. Elizabeth Miller, former chief of staff to Gov. Shumlin
 - d. Lisa Gosselin, former Commissioner of Economic Development
 - e. Alex MacLean, former deputy chief of staff to Gov. Shumlin
 - f. Sarah London, former counsel to Gov. Shumlin
 - g. Jeb (George) Spaulding, former Secretary of Agency of Administration
 - h. Jim Condos, Secretary of the State, and his staff
 - i. Patricia Moulton, former Secretary of ACCD
 - j. Lucy Leriche, former Secretary of ACCD
 - k. Kevin Dorn, former Secretary of ACCD
 - l. John Kessler, General Counsel of ACCD
 - m. Dale Azaria, former General Counsel of ACCD
 - n. Becky Fu von Trapp, former ACCD employee
 - o. Michael Pieciak, Commissioner of DFR
 - p. Susan Donegan, former Commissioner of DFR
 - q. David Cassetty, former General Counsel of DFR
 - r. Employees of the securities division of DFR
 - s. Joan Goldstein, Commissioner of DED
 - t. Eugene Fullam, former Vermont Regional EB-5 Center Director
 - u. Brent Raymond, former Vermont Regional EB-5 Center Director
 - v. James Candido, former Vermont Regional EB-5 Center Director
 - w. Bill Sorrell, former Vermont Attorney General
 - x. Bill Griffin, former Vermont Chief Assistant Attorney General
2. Communications, including but not limited to e-mails, texts and voicemails, between any ACCD or Attorney General's Office employee regarding Jay Peak Resort, Q Burke, AnC Bio, the Renaissance Project, Flight Design USA, the Newport Marina and Conference Center, Menck, and the Coventry/Newport Airport and:
 - a. Senator Patrick Leahy and his staff
 - b. Senator Bernie Sanders and his staff
 - c. Representative Peter Welch and his staff
 - d. Any public official or employee of United States Citizenship and Immigration Services

3. Any other documents released in *Sutton v. Vermont Regional Center, et al.*, Superior Court Case No. 100-5-17 Lecv.

My initial request for the documents in Request Nos. 1 and 2, filed on March 28, 2022, was denied based on the assertion that they were relevant to the *Sutton* litigation. Since that determination, however, we expect that many if not all of these documents have been produced in that case pursuant to the Court's February 2023 order to compel disclosure of documents withheld as privileged. I now renew my request for any such documents originally withheld under the litigation exemption that have now been produced in *Sutton*. I am also requesting any and all other documents, including those that I did not seek in my prior request, that have been released in *Sutton*.

Because this request is in the public interest, I request that you waive any fees for filling it. If fees are assessed, please notify me before proceeding. If, after that conversation, fees are charged, please provide a detailed receipt explaining the purpose of each fee charged.

If some of this material will take longer to provide than other portions, please provide any segments of the requested information as soon as it is available. If this information is available in electronic format, please provide it in that manner. If any or all of the information can be provided by email, please do so.

Please let me know if you have any questions about this request. I trust you will respond to my request for the records within the timeframe set out in 1 VSA § 318.

Should you deny access to any of the records I am requesting, please provide me with a list of those records, cite the specific exemption that applies to each record or portion of the record being withheld and the supporting facts for the withholding, and provide a description of the material that has been withheld as required by 1 VSA § 318(b)(2).

If a record has a portion that is exempt from disclosure, 1 VSA § 318(e) requires that only the exempt portion be redacted, and that a copy of the rest of the document be released, together with a notation of the specific exemption that applies to the portion withheld.

If you determine that any record is exempt from disclosure, in whole or in part, please also indicate the name and title of the person responsible for the denial, as 1 VSA § 318(b)(2) requires, inform me of the appeal procedures available to me, and the name of the person to whom an appeal may be made.

Thank you for your assistance and please contact me with any questions.

Anne Galloway