

From: Byard Duncan <bduncan@revealnews.org>
Sent: Wednesday, August 28, 2019 6:35 PM
To: Clark, Charity <Charity.Clark@vermont.gov>
Subject: A public records request from Reveal

Hi there. My name is Byard Duncan. I'm a reporter with Reveal, a weekly public radio show from The Center for Investigative Reporting.

I've attached a public records request. Looking forward to hearing back from you very soon.

Please let me know if you have any questions.

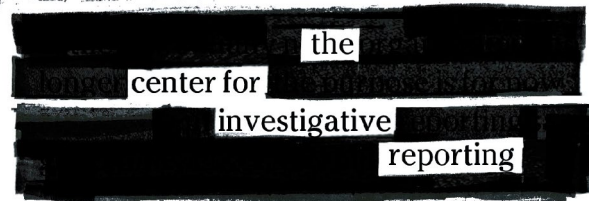
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He / Him / His



from The Center for Investigative Reporting

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To Whom It May Concern:

This is a request pursuant to Vermont’s Public Records Law. I am a reporter with The Center for Investigative Reporting (henceforth "CIR") seeking records of litigation and complaints related to the sale of speculative tickets in your state.

More specifically, I hereby request all consumer complaints sent to your office between Jan. 1, 2009 to July 1, 2019 that pertain to the sale or purchase of speculative tickets. I also hereby request any lawsuits filed by your office between Jan. 1, 2009 to July 1, 2019 that pertain to the sale or purchase of speculative tickets. I also hereby request all documents your office possesses, or has possessed within the aforementioned timeframe, that contain any of the following terms: “speculative ticket,” “speculative tickets,” “Vivid Seats,” “TicketNetwork,” “Ticket Network,” or “StubHub.”

The issue of speculative ticket selling has been publicly acknowledged several times and has become a matter of public interest.

ESPN’s “Outside the Lines” has investigated the practice:

https://www.espn.com/espn/otl/story/_/id/25771518/how-wild-world-super-bowl-ticket-brokering-burn-regular-fans

New York’s attorney general sued one prominent company, TicketNetwork, over the practice (that case has since settled): <https://ag.ny.gov/press-release/ag-underwood-sues-operator-online-ticket-resale-platform-ticket-broker-over-massive>

Nebraska’s attorney general has tightened restrictions on the practice:

https://journalstar.com/news/local/ticket-reseller-agrees-to-pay-state-k-over-marketing-sales/article_40e6148d-50bb-5a6e-b28e-28d6408cf77f.html

Nevada has essentially outlawed the practice: <https://legiscan.com/NV/text/SB131/id/2027226>

Rhode Island has recently addressed the practice:

<https://www.apnews.com/e831cc823f4d4a39997ac56812e09408>

As an employee of the nation’s oldest nonprofit news organization seeking this information for dissemination to the general public as part of an effort to examine the practice of speculative ticket selling, I request a fee waiver. 5 U.S.C. § 552(a)(4)(A)(iii). This request is made in the public interest and not for commercial use. For additional details about Reveal, please see our web site: <<https://www.revealnews.org/>>. If possible, I would prefer the documents in electronic format. Please notify me before incurring any photocopying costs over \$100.

I am also requesting expedited processing on this request. 5 U.S.C. § 552(a)(6)(E)(v)(II); *see also Al-Fayed v. CIA*, 254 F.3d 300, 306 (D.C. Cir. 2001). I am entitled to expedited processing because this information will reveal the extent to which local governments are addressing consumer complaints

about speculative ticket selling. This is of immediate interest to the public because the sale of speculative tickets has increased dramatically in the past decade. Any information obtained from this request will be used for the public's interest in news stories written for CIR.

I certify that the above information is true and correct to the best of my knowledge.

Please furnish all responsive records in electronic, searchable format delivered to my email address: <bduncan@revealnews.org>. If that's not possible, please send records on a CD ROM or paper printouts to the following address:

Byard Duncan
1400 65th St., Suite 200
Emeryville, CA 94608

Further Correspondence:

All correspondence regarding this request can be directed to me at <bduncan@revealnews.org>.

Please be aware that under 5 U.S.C. § 552(a)(6)(A), a FOIA request is considered constructively denied after twenty business days and is subject to litigation on that basis. If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. As the law requires, I will also expect you to release all segregable portions of otherwise exempt exempt material.

I reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

If you have any questions, do not hesitate to contact me at 510-809-3173.

Thank you for your prompt attention to this request.

Sincerely,
Byard Duncan

Byard Duncan
Engagement Reporter
Reveal from The Center for Investigative Reporting
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