

February 8, 2016

James A. Valente
92 Green Street
Brattleboro, VT 05301

Dear Mr. Valente:

This is in response to your access to records request dated January 25, 2016. You have requested [eight categories of records](#).

Request No. 1

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from Lieutenant Governor Phil Scott relating to Dubois Construction and/or actual or perceived conflicts of interest in the state bidding process.

Response

~~Several records responsive to this request are enclosed. They include several email exchanges found using the~~We searched for records using the following search terms: "Dubois," "conflicts" and "bidding." ~~Due to the quantity of emails which included one or more of these search terms, they have been divided into two groups: primary and secondary. Primary documents are all that relate directly to your inquiry. Secondary documents are all which contain those search words but are not relevant to the inquiry. These secondary documents include all daily press clips which contain references to "Dubois," "conflicts" and "bidding." We did not include press clips because they are voluminous and are readily available online and identified 90 pages of responsive documents.~~

Request No. 2

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from Rachel Feldman relating to Dubois Construction and/or actual or perceived conflicts of interest in the state bidding process.

Response

We searched for records using the following search terms: "Dubois," "conflicts" and "bidding" and identified 138 pages of responsive documents.

Several records responsive to this request are enclosed. They include several email exchanges found using the search terms: "Dubois," "conflicts" and "bidding." Due to the quantity of emails which included one or more of these search terms (especially "conflicts" as the above person is in charge of scheduling and thus the term "scheduling conflicts" is used quite frequently) they have been divided into two groups: primary and secondary. Primary documents are all that relate directly to your inquiry. Secondary documents are all which contain those search words but are not relevant to the inquiry.

Request No. 3

~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from Lieutenant Governor Phil Scott relating to the Scott for Governor campaign, including the planning of that campaign prior to its existence.

Response:

We searched for records using the search term "campaign" and identified 131 pages of responsive documents.

Several records responsive to this request are enclosed. They include several email exchanges found using the search term: "campaign". Due to the quantity of emails which included this search term, they have been divided into two groups: primary and secondary. Primary documents are all that relate to the use of the keyword in relation to a political campaign. Secondary documents are all which contain the search word but are not relevant to the inquiry. These secondary documents include all email newsletters which contained references to 2016 Vermont gubernatorial campaigns in the order in which they were received. If newsletters were received by both parties, we chose to only print them once in order to save paper.

Request No. 4

~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from Rachel Feldman relating to the Scott for Governor campaign, including the planning of that campaign prior to its existence.

Response:

We searched for records using the search term "campaign" and identified 289 pages of responsive documents.

Several records responsive to this request are enclosed. They include several email exchanges found using the search term: "campaign". There is only a primary group of records for this search term. This group also contains one email from the "Lisman for Vermont" campaign. It is

included because it references another Vermont gubernatorial campaign, although Rachel Feldman never signed up for the Lisman campaign's mailing list, yet has been receiving all of their emails at her now outdated email address: rachel.feldman@state.vt.us since the beginning of the Lisman campaign. Other emails of this type can be produced upon request.

Request No. 5

~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from Lieutenant Governor Phil Scott referencing proposals to bring Syrian refugees to Vermont.

Response:

We searched for records using the search term "Syrian" and identified 49 pages of responsive documents.

~~Several records responsive to this request are enclosed. They include several email exchanges found using the search term: "Syrian". These emails have been divided into two groups: primary and secondary. Primary documents are all that relate to the use of the keyword in relation to Lt. Governor Phil Scott and Syrian refugees. Secondary documents are all which contain the search word but are not relevant to the inquiry.~~

Request No. 6

~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present to or from [Rachel Feldman](#) referencing proposals to bring Syrian refugees to Vermont.

Response:

We searched for records using the search term "Syrian" and identified 92 pages of responsive documents.

~~Several records responsive to this request are enclosed. They include several email exchanges found using the search term: "Syrian". These emails have been divided into two groups: primary and secondary. Primary documents are all that relate to the use of the keyword in relation to Rachel Feldman and Syrian refugees. Secondary documents are all which contain the search word but are not relevant to the inquiry.~~

Request No. 7

~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present between Lieutenant Governor Phil Scott, Brittney Larrabee Wilson, Neale Lunderville, Jason Gibbs, Mike Smith, Brady Toensing, Hayden Dublois, David Sunderland, Jeffrey Bartley, or any other staff member or officer of the Vermont Republican Party.

Response:

~~Several records responsive to this request are enclosed. They include several email exchanges found using the search terms~~ We searched for records using the following search terms: "Wilson" and, "Lunderville," "Gibbs," "Smith," "Toensing," "Dublois," "Sunderland" and "Bartley" and identified 22 pages of responsive documents. ~~To respond to this point, we searched for the aforementioned terms, in addition to t~~ The terms: "Lunderville," "Smith," "Toensing," "Dublois," "Sunderland" and "Bartley." ~~These final six terms~~ returned no results.

Request No. 8 ~~You have also requested, from January 1, 2015 to the present:~~

All communications (emails, letters, text messages, faxes, and other documents) from January 1, 2015 to the present between Rachel Feldman, Brittney Larrabee Wilson, Neale Lunderville, Jason Gibbs, Mike Smith, Brady Toensing, Hayden Dublois, David Sunderland, Jeffrey Bartley, or any other staff member or officer of the Vermont Republican Party.

Response:

We searched for records using the following search terms: "Wilson," "Lunderville," "Gibbs," "Smith," "Toensing," "Dublois," "Sunderland" and "Bartley" and identified 128 pages of responsive documents. ~~Several records responsive to this request are enclosed. They include several email exchanges and one document found using the search terms: "Wilson," "Gibbs," "Toensing," "Dublois" and "Bartley." One text message from a phone number, later determined to belong to Jeffrey "Bartley," is enclosed in this request. To respond to this point, we searched for the aforementioned terms, in addition to the~~ The terms: "Lunderville," "Smith" and "Sunderland." ~~These final three terms~~ returned no results.

The criteria we used to search for all eight points outlined in the request are as follows:

- 1) Search of all Outlook mail folders, as well as archived folders, for all of the search terms outlined above.
- 2) Search of hard drive for all of the search terms outlined above. This returned one document, which is included.
- 3) Search of all state-owned cell phones for all text messages containing the search terms outlined above. While this returned no results, we determined the origin of a text message received from a number not saved in contacts, ruled it responsive ~~relevant~~, and included it.
- 4) We did not include emails sent to multiple departments from state employees not named in this request on which either the Lt. Governor or Rachel Feldman and any of the people named were CC'd, but did not contain correspondence between them directly nor content applicable to this request. (press releases, budget information, etc.)
- 5) We included all public releases, including public schedules, from our office which contained any of the search terms previously identified. ~~However, we did not include the BCC line on these items, as that contains our full media list and we are not willing to provide their email addresses in this request.~~

Please be advised that complying fully with this request took ~~(FILL IN FINAL NUMBER HERE... CURRENTLY AT 37 HOURS)~~ hours, 29 hours and 10 minutes of which were split evenly between Rachel Feldman and Hayden Dublois, the office's sole paid staffer and the office's unpaid intern respectively. Hayden Dublois has since completed his internship. The remaining hours were worked by Rachel Feldman alone, mostly after hours and on weekends so as not to compromise the office's responsiveness during regular business hours.

We printed copies of responsive documents in order to create a PDF record. Copies of the PDF records are attached.

The charges for staff time, etc. for this production are: \$971.85 for senior-level staff time; and information technology specialists' time spent extracting data from databases or performing similar tasks necessary to comply with this request (57¢ per minute). \$393.75 for other staff time (45¢ per minute).- \$5,2218.78 for 58939 pages of double-sided copies; \$.65- for 13 pages of single-sided copiescomputer-generated paper copies. Please remit a check made payable to the State of Vermont in the amount of \$1,384.38 to cover these costs.

Due to being part of the executive branch but not the Administration, and in a legislative building but not part of the Legislature, all documents were produced using only the Lt. Governor's office materials, staff and time. We are appreciative to the Attorney General's office for their assistance with drafting our responses to and helping define our search terms for this request, as the Lt. Governor's office does not have legal counsel on staff, unlike the Administration and Legislature.

Sincerely,

Rachel Feldman
Chief of Staff, Office of Lt. Governor Phil Scott