

EXHIBIT 16

IN THE MATTER OF A JOHN DOE PROCEEDING

Case No. 10JD000007

FILED

TENTH PETITION TO ENLARGE SCOPE OF JOHN DOE PROCEEDING

FEB 7 2011

BARRETT
Clerk of Circuit Court

WHEREAS, I, Bruce J. Landgraf, acting as an Assistant District Attorney in and for the County of Milwaukee, filed a Petition for the Commencement of a John Doe Proceeding dated May 5, 2010;

WHEREAS, the State of Wisconsin has filed subsequent Petitions to enlarge the scope of this proceeding as warranted by the evidence produced in the course of this investigation;

WHEREAS the John Doe judge has granted the Petition to Commence this proceeding and has also granted all subsequent Petitions to enlarge the scope of these proceedings;


WHEREAS, as set forth in my Affidavit submitted as part of this Petition, I have now discovered suspected law violations involving Wisconsin Statutes Section 946.12, Misconduct in Public Office, and Wisconsin Statutes Section 19.31 *et seq.*, the Open Records Law, relating to Milwaukee County generally and the Office of the County Executive, the Department of Administrative Services and the Department of Health and Human Services specifically;

WHEREAS, I have reason to believe violations of said sections have been committed within the jurisdiction of this court;

NOW, THEREFORE, based upon the information contained in my Affidavit showing evidence that criminal violations of Wisconsin Statutes Sections 946.12 and 19.31 *et seq.* may have been committed in Milwaukee County, I hereby request that the scope of the John Doe proceeding referenced above be enlarged to include these suspected violations and that, pursuant to §968.26 of the Wisconsin Statutes, witnesses be subpoenaed and questioned on oath relating thereto.

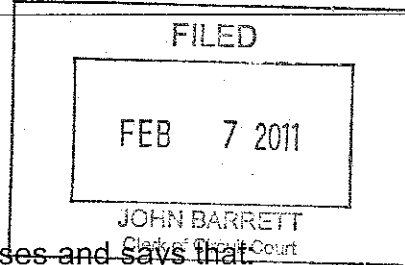
Dated this 4 day of February 2011.

P.O. Address
Safety Building Room 405
821 West State Street
Milwaukee, Wisconsin 53233
(414) 278-4645 - Voice
(414) 223-1929 - Fax


Bruce J. Landgraf
Assistant District Attorney
State Bar Number 1009407

AFFIDAVIT IN SUPPORT OF TENTH PETITION TO ENLARGE SCOPE

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)



Bruce J. Landgraf, being first duly sworn on oath, deposes and says that:

1. I am an Assistant District Attorney acting in support of the above encaptioned John Doe proceedings.
2. I make this Affidavit in connection with my Petition to Enlarge the Scope of these John Doe Proceedings. I ask that the court extend the John Doe investigation to include suspected violations of the duties imposed by the Open Records Law of Wisconsin.
3. I respectfully submit that the purpose and goals of this aspect of the John Doe investigation would be to (1) determine what Open Records Requests were received by the County Executive, the Department of Administrative Services (including the Information Management Services Division) and/or the Department of Health and Human Services; (2) ascertain the responses to each such Open Records request; (3) determine whether government records generally, and private e-mail communications specifically, were withheld from the Open Records responses; and (4) determine whether the circumstances of such withholding – if any withholding did occur – were criminal.
4. In support of the Petition to Enlarge Scope, I note the following principles of law.
 - a. As a general rule, under the Open Records law, “any requester has a right to inspect any record” as those terms are defined under Wisconsin law. Wis. Stats. §19.35(1).
 - b. A “record” is “[a]ny material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of

physical form or characteristics, which has been created or is being kept by an authority.” Wis. Stat. § 19.32(2). As stated by the Wisconsin Supreme Court in *Schill v. Wisconsin Rapids School District*, 2010 WI 86, ¶¶22, 327 Wis.2d 572, 786 N.W.2d 177, in determining whether a document is a record under Wis. Stat. § 19.32(2), the focus is on the content of the document. To be a record under §19.32(2), the content of the document must have a connection to a government function.

c. Information regarding government business kept or received by an official in a private Internet account is more likely than not a “record” within the meaning of the Open Records law. OAG 1-06-09, at 2-3.¹

d. An “authority” includes any local elected official and his office. Wis. Stats. §19.32(1). Further, an elected official is the legal custodian of his or her records and the records of his or her office, and the official may designate an employee of his or her staff to act as the legal custodian. Wis. Stats. §19.33(1).

e. The records custodian must respond to a public records request. *ECO, Inc. v. City of Elkhorn*, 2002 WI App 302, ¶¶13-14, 259 Wis.2d 276, 655 N.W.2d 510.

¹ In this Attorney General opinion, the issue was whether a town chairperson may discuss town business in a private website and refuse to allow requestors to participate in that discussion. The Attorney General addressed two issues, the first of which was whether the website was a public record. The Attorney General concluded that, more probably than not, the private Internet site was a public record. In this regard, the opinion stated:

Ms. Valentine, as town chair, likely has the authority to create a website, and it is commonplace and customary these days for public officials to maintain one (though they are usually open to the public). Gathering and presenting information about town business to persons in the town is certainly one of Ms. Valentine’s official functions as is receiving and responding to their concerns. Ms. Valentine is evidently using this website as a vehicle to communicate with constituents about town governance and operational matters. A website created by Ms. Valentine on her own computer and at her own expense that included purely personal content (e.g., sharing pictures of family vacations, or solely limited to a political campaign), would likely not constitute a record, nor might her comments in a restricted group website to which she belonged in her personal capacity. But a website called “Making Salem Better” in which the town chair actively presents and receives written communication on matters of public interest that relate to the chair’s official duties (library board representation, a high school addition project, and a round-about intersection), seems to be connected with that town chair’s official purpose or function regardless of Ms. Valentine’s claim that she intended to act in a personal capacity.

5. I would respectfully submit that the mandates of Wisconsin Statutes §§946.12(1) and (3) are applicable to Open Records duties. Those sections make it a Class I felony for a public official or employee to either:

a. Intentionally fail[] or refuse[] to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law; or

b. Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercise[] a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another.

6. In support of my request to enlarge the scope of this investigation to include the handling of Open Records requests by Milwaukee County Government generally and specifically by the Office of the County Executive, the Department of Administrative Services and the Department of Health and Human Services, I submit the following facts and circumstances:

a. I begin by noting as a general principle that, in this investigation, we have long observed county officials using a private e-mail system based upon Internet-accessible accounts with providers such as Gmail.com and Yahoo.com.

b. I, and the investigators supporting this John Doe, have also noticed that many, many e-mails sent to and from private e-mail accounts concern the business of county government. For example, Exhibit A is an e-mail authored by the head of the Department of Administrative Services, Cindy Archer, using a private e-mail account identified as carcher1@wi.rr.com. It is an e-mail obtained from the kmrindfleisch@gmail.com account. In this e-mail, Archer openly states that she uses "this private account quite a bit to communicate with SKW (Walker) and Nardelli (Walker's Chief of Staff)."

c. Exhibit B is a copy of a spreadsheet taken from Cindy Archer's office during the execution of the John Doe Search warrant authorized on December 17, 2010. The spreadsheet lists Open Records requests and the status of such requests as of July 28, 2010. Cindy Archer served on an "Open Records" group

that managed and responded to Open Records Requests. This document was likely generated in connection with the discharge of that duty.

d. I note that Exhibit B lists a request by "Schultze" (a reference I believe to be to Steve Schultze of the Milwaukee Journal Sentinel) to "DHHS Marks" (a reference I believe to be to Lisa Marks, the Interim Director of the Department of Health and Human Services [DHHS]). The timing of this request, supported by my review of e-mails seized during the course of this investigation, suggests to me that the request concerned the highly publicized problems occurring at the Behavioral Health facilities operated by Milwaukee County. The date of the Schultze request is listed as March 31, 2010.

e. Exhibit C is a copy of an e-mail obtained from the kmrindfleisch@gmail.com account. It includes a copy of a letter that County Supervisor Lynn DeBruin sent to Scott Walker using the county e-mail system. Reflected on the bottom third of page 1 of Exhibit C, the DeBruin e-mail was forwarded to Scott Walker using a private e-mail account. The top of page 1 on exhibit C is an e-mail from Cindy Archer to Scott Walker and others. Archer asked to send the DeBruin letter to "Lisa," (a reference I take to mean Lisa Marks, the Interim Director of DHHS). Archer specifically asks Walker to allow Archer to send this via a "home email address." Moreover, Archer plainly states, "I would like to hear from Lisa (via private email) what the real story is." The date of the e-mail is April 8, 2010.

f. Exhibit D is a May 14, 2010 e-mail recovered from Cindy Archer's office as described above. It is a Milwaukee County e-mail dated May 14, 2010 received from the Democratic Party of Wisconsin asking for e-mails that include certain words and domain addresses. I have myself seen numerous e-mails in multiple private accounts containing these words or domain addresses. As just one example, I note that the previous exhibit, Exhibit C, would fall within the scope of this request as a communication concerning the business of Milwaukee County and which included one of the key words specified in the Open Records request, viz., "Bader." See the reference to "Jill Bader <jillb@scottwalker.org>" at the bottom one-third of page 1 of Exhibit C.

g. Inasmuch as the Director of Administrative Services, Cindy Archer, wished to solicit a written statement from Lisa Marks using a private e-mail account (rather than her Milwaukee County account), it is reasonable to suspect that the private e-mail system was intended as a means to circumvent the Open Records laws. In other words, knowing that Milwaukee County e-mails would have to be produced by the Information Management Services Division in response to any future Open Records request for correspondence concerning the Behavioral Health facility, it is reasonable to suspect that the private e-mails – sent and received outside the Milwaukee County e-mail system - were intended to keep these government business communications secret.

h. Exhibit E is an e-mail obtained from the account of kmrindfleisch@gmail.com. It is a series of e-mails sent on Tuesday, July 27, 2010. The e-mail sent from Rindfleisch to the Friends of Scott Walker campaign manager, Keith Gilkes, at 9:51 a.m. makes direct reference to “open records requests” submitted by “Umhoefer and Schultze” (a reference I take to be to Journal Sentinel reporters David Umhoefer and Steve Schultze). These requests concern “O’Donnell” (a reference I take to mean the O’Donnell parking structure which partially collapsed in late June 2010 killing a teenage boy). Gilkes responds to Rindfleisch’s comment that the County executive’s office was sending information about construction “as its (sic) found.” He writes:

I think as you move through the review on the records – send them a batch and then have [Communications Director] Fran [McLaughlin] from time to time ask them if they got everything they were looking for.

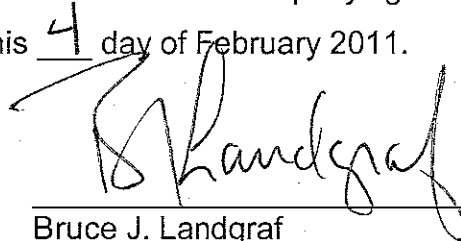
I agree giving them more is better, especially with them focused on the construction, keeps the focus there. Go through the process and manage them. You are doing this the right way.

i. I note that Exhibit E reflects the County Executive’s Deputy Chief of Staff, Kelly Rindfleisch, consulting with the FOSW campaign manager, Keith Gilkes, on issues relating to how and what is released under the Open Records law, a suspicious circumstance in and of itself. I also note that Gilkes comment, “giving them more is better,” suggests that other circumstances might have resulted in his recommendation that “less” should be given.

7. I know that the Office of the Milwaukee County Executive is located in the Milwaukee County Courthouse at 901 North 9th Street, Milwaukee, Wisconsin. All other departments and divisions of Milwaukee County government as identified in this Affidavit are located at various offices within Milwaukee County.


8. For all the foregoing reasons, I respectfully request that the court authorize the expansion of scope as contained in my Tenth Petition accompanying this Affidavit.

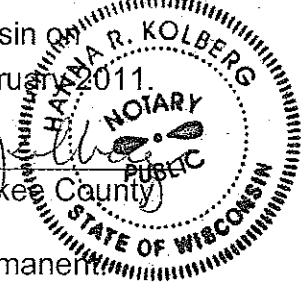
Dated at Milwaukee, Wisconsin on this 4 day of February 2011.



Bruce J. Landgraf
Assistant District Attorney
Milwaukee County

Subscribed and sworn to before me
at Milwaukee, Wisconsin on
this 4 day of February 2011.


Notary Public, Milwaukee County
State of Wisconsin
My commission is permanent



Bruce J. Landgraf

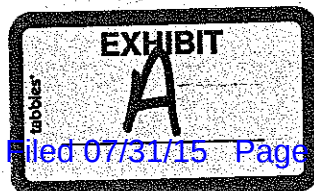
From: carcher1@wi.rr.com
Sent: Monday, March 22, 2010 2:03 PM
To: Kelly Rindfleisch
Subject: RE: test

Consider yourself now in the "inner circle". :) I use this private account quite a bit to communicate with SKW and Nardelli. You should be sure you check it throughout the day.

Congrats on your appointment. I am here for you if you need anything or if you just need to talk.

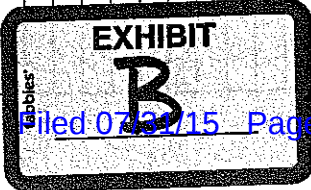
Cindy

----- Kelly Rindfleisch <kmrindfleisch@gmail.com> wrote:
> Got it.
>
> -----Original Message-----
> From: carcher1@wi.rr.com [mailto:carcher1@wi.rr.com]
> Sent: Monday, March 22, 2010 10:27 AM
> To: Kelly
> Subject: test
>
> respond if you get this. thanks
>



Open Records

Number	Date of request	Requestor	Requestee	Disposition 1	Disposition 2	Final Disposition & Date	Status
	3/31/2010	Schultze	DHHS Marks				7
	4/20/2010	Landmark salary/pens	HR Jackson/Schroeder			6-22 per Arena	closed
	5/6/2010	Chimielecki Layoff plan	CE			cab resp no rec 6-8	closed
	5/6/2010	Chimielecki CE salary	Treas Diliberti			6-29 Maier	closed
	5/14/2010	DPW #1 phone logs	CE			cab resp no rec 6-9	closed
	5/14/2010	Strong Reinhart contract	Treasurer	6-29-10 Manske estimated			estimate
	5/14/2010	DPW #2 emails	CE	cab estimate 6-17	7-7 check received	7-22 notified ready	estimate
	5/14/2010	DPW #3 ride	CE	cab estimate 6-17	7-7 check received	7-22 notified ready	wait plu
	5/14/2010	DPW #4- sched travel	CE	cab estimate 6-17		sent info 6-9 no charge	closed
	5/14/2010	DPW #5 CE Exp	CE	cab estimated 5-20	5-28 check received	cab del 5-28	closed
	5/14/2010	DPW #6 Op Rec Req	CE	cab estimated 6-17	6-24 check received	cab del 6-24	closed
	5/20/2010	One WI Now Sched	CE	cab estimate 6-16	7-7- start search	rept and invoice del 7-15	closed
	5/25/2010	Weishan computer and em	CE	cab estimate 6-8		cab del 6-10	closed
	6/1/2010	Schultze OR's	CE	7-8 cab req fr Manske		7-1- Manske resp	closed
	6/2/2010	Morgan 1st Q fin	DAS Manske	7-8 cab req fr Walker		Walker sent 6-16	closed
	6/2/2010	EckLink Zoo priv	DAS Susan Walker	7-8 cab req fr Walker			closed
	6/2/2010	Mason computer emps	CE	Schoewe to resp. broad			pending
	6/7/2010	Neuman money pd	DAS Mankel/Archer	7-1- Manske estimated			estimate
	6/7/2010	Neumann OR payments	CE	cab estimate 6-8	6-11- check received	cab mailed 6-14	closed
	6/7/2010	Neumann Pers rec	HR Jackson	Archer to respond	7-28 estimate Cindy		estimate
	6/7/2010	Neumann Pers rec	IMSD Panella	HR estimate 6-24			estimate
	6/7/2010	Schultze Operation Fr	CE	Schoewe to respond			pending
	6/9/2010	Liebmann vendors	DAS Manske			7-1 Manske resp website	closed
	6/16/2010	CRG - wackenhut	CE	cab will send 7-8	W Woods sends 7-13	Cheryl sent 7-22	closed
	6/17/2010	Neumann Bonds	CE			cab resp not cust 6-22	closed
	6/17/2010	Neumann Stimulus	CE			cab resp no rec 6-22	closed
	6/18/2010	RPW OR's	CE			cab del 6-25	closed
	6/21/2010	Schauer EEOC Durable	DTPW Waszak	7-8 cab req fr Waszak	Owens sends 7-13	cab emailed 7-13	closed
	6/25/2010	Neumann pension	Co Clerk			6-28-10 per clerk not cus	closed
	6/29/2010	Neumann ARRA proj	CE			cab resp not cust 6-30	closed
	7/6/2010	Landmark OT Costs	DAS Ruggini	7-8 Ruggini to send		7-13 Ruggini sends	closed
	7/12/2010	CRG Liebenthal	IMSD - Martin	7-13 Tim R. will respond			pending
	7/20/2010	Neumann No bids	Purchasing - Woods	7-21 initial response sent		7-29 told no record exist	closed



From: carcher
To: skw@scottwalker.org; "Thomas Nardelli"
Cc: "Kelly Rindfleisch"; "Fran McLaughlin"; "Keith Gilkes"; "RJ Johnson"; "Jill Bader"
Subject: RE: DeBruin Creates Yet One More Issue at BHD
Date: Thursday, April 08, 2010 7:23:32 PM

Scott, can I share this email with Lisa via her home email address? We have no idea of who this doc is and what his story is. Lynn has a tendency to over-react and I would like to hear from Lisa (via private email) what the real story is. If you send the Sheriff over there, it will result in "overkill" just like it did with the security staff. He tends to overdo it. Can I get Lisa's read on this?

Also, she failed to mention that according to Nardelli, she reported this problem to Schultze....thank you very much. ☺

From: skw@scottwalker.org [mailto:skw@scottwalker.org]
Sent: Thursday, April 08, 2010 4:33 PM
To: Thomas Nardelli
Cc: Kelly Rindfleisch; Cindy Archer; Fran McLaughlin; Keith Gilkes; RJ Johnson; Jill Bader
Subject: Re: DeBruin Creates Yet One More Issue at BHD

Why have they not done anything? Was there some question about access?

Sent from my Verizon Wireless BlackBerry

From: Thomas Nardelli <thomasnardelli@yahoo.com>
Date: Thu, 8 Apr 2010 14:01:33 -0700 (PDT)
To: Scott Walker<skw@scottwalker.org>
Cc: Kelly Rindfleisch<kmrindfleisch@gmail.com>; Cynthia Archer<carcher1@wi.rr.com>; Fran McLaughlin<gopfran@yahoo.com>; Keith Gilkes<kgilkes@champllc.com>; RJ Johnson<rj@rjjohnson.org>; Jill Bader<jillb@scottwalker.org>
Subject: DeBruin Creates Yet One More Issue at BHD

The email below was sent to your County account. It details how she shared information with Schultze who sent an Open Records Request to her. This is Lynne's effort to give us a heads up just after she responds at the 10 day deadline to the ORR.

We've heard nothing from Schultze, but I know we'll get a call at 3:30 tomorrow informing us that he has a short fused deadline.

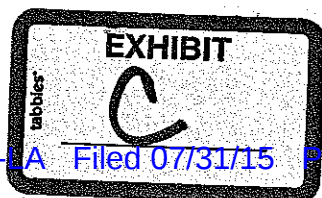
From: Lynne DeBruin/CtyBoard/Milwaukee County

To: County Exec Inet/Co Exec/Milwaukee County@milwco

Cc: David Clarke/Sheriff_Dept/Milwaukee County@milwco, Lee Holloway/CtyBoard/Milwaukee County@milwco, Harold Mester/CtyBoard/Milwaukee County@MILWCO

Date: 04/08/2010 02:39 PM

Subject: Request for immediate security enhancements at BHD Walk-In Clinic



Dear Scott,

I am writing to ask that you intervene immediately to provide a safe clinical experience for patients (and staff) utilizing the Behavioral Health Division's Walk-In Clinic and to seek your support for having the entire BHD facility reviewed by Sheriff's Department law enforcement personnel to identify other safety issues that may exist at the entire facility. I am also writing to express my frustration with the lack of response from Mr. Chianelli, Director, Behavioral Health Division, and Ms. Lisa Marks, Interim Director, Health and Human Services Department, regarding this safety issue which I brought up to them in late Feb. 2010.

In mid-February, 2010, I was contacted by Dr. Elaine Sorem who works at the Walk In Clinic. She informed me that in the past few months, there were three instances where weapons were brought by patients into the walk-in clinic- two knives and one gun. In each instance, the weapons were brought in by patients coming for therapy who informed clinical staff that they had brought their weapon into the clinic due to fears for their own safety. The clinical staff were not threatened and no violence occurred. Dr. Sorem was frustrated with "these continuing unsafe incidents" because she had discussed similar incidents and the safety issue they raised with BHD administration on multiple occasions over the past year. Her conversations were with the Director of Crisis Services, Mr. Jim Kubicek.

The Walk In Clinic's most direct entrance does not have any weapons screening equipment or metal detectors. There is a sign that tells visitors that weapons are not allowed. The Emergency Room department, located nearby, does have metal detectors, and Dr. Sorem felt that it would be a simple and inexpensive fix for the county to have Walk-In Clinic visitors and patients use the ER Department entrance which is monitored. If that was objectionable for some reason, adding a metal detector at the currently used Walk-In Clinic entrance, would work also. Additional security staff might help, but Dr. Sorem informed me that on at least two occasions an alarm which had been activated to call for security staff during a threatening incident apparently didn't work because security staff never heard it. From what she said this was not a failure of staff, it was a failure of the alarm system. (Would you look into this too?)

In the year before Dr. Sorem contacted my office, nothing had been done. In frustration, she contacted me. I explained the situation to Tom Nardelli, who was supportive and had both Mr. Chianelli and Ms. Marks contact me within 24 hours. Ms. Marks promised an immediate review and that action would be taken. Mr. Chianelli promised the same. That was late Feb., 2010. Dr. Sorem contacted me again in late March, notifying me of another incident. This time a box cutter was brought in. Again, the patient self reported the weapon and no violence occurred. Still no response from administration. I'm still waiting to hear back from Mr. Chianelli and Ms. Marks from our Feb. conversations.

I spoke with Dr. Sorem today to learn if the administration had made security enhancements. It is April 8, 2010. They have not. Dr. Sorem informed me that she emailed Mr. Chianelli, Dr. Harding, and Mr. Kubicek last week to report further incidences. So far, she received two emails saying the matter would be looked into but no action has been taken. If locking onedoor and having patients enter through the ER is the easy fix, how long does it take to lock a door?

Last week more weapons were brought into the Walk In Clinic. According to Dr. Sorem, one situation involved a psychotic patient who was off her medication and experiencing command auditory hallucinations. Her history includes a violent incident where she used a knife. The patient was accompanied by a relative who informed the clinician that the patient had concealed a knife in her clothing. The patient confirmed this and produced a large knife. Again, no one was hurt. Another weapons report involved a visitor who brought in two knives but saw the no weapons sign and handed his knives to a nurse practitioner, asking that the knives be returned when he left. Weapons should be handled by law enforcement not nursing staff.

The Walk In Clinic must begin screening all visitors and patients immediately, or, immediately re-direct admittance through the clinic through the already monitored Emergency Room. This simple fix should have happened within days of Dr. Sorem's first contacting administration a year ago, or within days of my contacting Mr. Chianelli and Ms. Marks.

You may remember a phone conversation you and I had on Sun., Feb. 21, 2010. You called to discuss the next day's Personnel Committee's vote on whether the county should increase the number of 2010 furlough days to 22 for some county employees. I had not yet committed to voting for the additional days due to my concerns that staffing levels within BHD direct patient care areas that were not 24/7 operations were already low and the further loss of staff would reduce patient care quality as well as pose safety risks. The Walk In Clinic is such a facility. You immediately supported my amendment to exempt these direct care staff from the additional furloughs. The County Board unanimously adopted the amendment and Department of Administration staff have worked closely with BHD to make sure all needed staff are exempted.

BHD administration staff clearly saw that additional furloughs would pose patient care and safety risks and moved expeditiously to prevent the potential threat. Why they would NOT recognize that the Walk In Clinic's ongoing weapons situations posed an ongoing immediate threat to patient care and safety, and, why they would NOT take steps for more than a year to enhance security is incomprehensible to me. I asked Dr. Sorem what reasons BHD administration gave for not taking action. She said it was because Mr. Kubicek felt that requiring walk in clinic patients to go through metal detectors might make them feel like the county didn't trust them. He told her he wasn't comfortable with making them do it. The irony of his response is that in most of the weapon situations described, the patients themselves didn't feel safe so they brought weapons in. The patients' own actions are telling the county they want additional protections. All patients and visitors at our hospital go through metal detectors and citizens can't get on a plane or visit the courthouse without going through detectors. For everyone's safety, Milwaukee County needs to immediately provide a safer environment in the BHD Walk In Clinic.

If there is any logical, reasonable, understandable reason why metal detection screening and enhanced security should not happen at the Walk In Clinic, no one in over a year has told Dr. Sorem what that is and no one has told me since I became aware of the situation in Feb. and contacted the administration.

Because the lack of understanding and action appears to exist even at the top of BHD administration, I'm concerned about the level of security awareness and preventive measures that exist at **all** BHD facilities. To assist the County in identifying if significant risk exists elsewhere, I ask your support in asking the Sheriff to have his personnel review all BHD facilities and to report back to you and to the County Board on safety issues his staff identifies plus corrective measures he feels could be put in place. Obviously, a mental health center is a different type of facility than a jail and a mental health center serves patients, not inmates, but I believe the Sheriff's staff are capable of recognizing that security measures must be fine tuned to fit the location and types of clients and personnel served.

I look forward to your response.

Supervisor Lynne De Bruin



Open Records Request #2
 Charlesanne Wilson to: Cheryl Berdan

05/14/2010 01:37 PM

Estimate to Sort

Sender	Date	Subject
Charlesanne Wilson	05/14/2010 01:37 PM	Open Records Request #2

— Forwarded by Charlesanne Wilson/Co Exec/Milwaukee County on 05/14/2010 01:37 PM —

From: Brandon Lorenz <brandon@brandonlorenz.com>
 To: charlesanne.wilson@milwcnty.com, thomas.nardelli@milwcnty.com, kelly.rindfleisch@milwcnty.com
 Date: 05/14/2010 01:26 PM
 Subject: Open Records Request #2

Mr. Thomas G. Nardelli – Chief of Staff
 Courthouse, Room 306□
 901 N. 9th Street□
 Milwaukee, WI 53233

*6/10
 Cont Estimate Response
 on PAR.*

Shaw

Dear Mr. Nardelli,

I am writing to request the following records from Milwaukee County under Wisconsin's Open Records Law (19.31-39, Wisconsin Statutes):

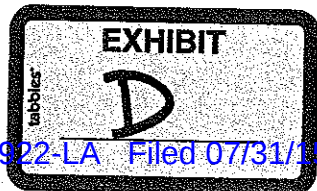
Copies of e-mails and attachments, schedules, call logs, written correspondence, and any other documents to and from Darlene Wink, Fran McLaughlin, Thomas Nardelli, Kelly Rindfleisch and County Executive Walker containing the following words from 1/1/2009 to 5/14/2010:

Governor

- o Jim
- o Doyle
- o JED
- o Barbara
- o Lawton
- o Tamara

l. P. P. P.

*7/28
 Total than 39k
 documents - have
 not been back.
 Think have.*



- o Grigsby
- o Lena
- o Taylor
- o Obama
- o Karl
- o Rove
- o George
- o Bush
- o John
- o McCain
- o Mike
- o Tate
- o White House
- o Stimulus
- o Recovery Act
- o Tommy
- o Thompson
- o Republican
- o Democrat
- o Election
- o Primary
- o Campaign

- o Reince
- o Priebus
- o Tea
- o Party
- o Mark
- o Block
- o Mark
- o Neumann
- o Tom
- o Barrett
- o Jill
- o Bader
- o R.J.
- o Johnson
- o RPW
- o DPW
- o Steve
- o Schultze
- o Dan
- o Bice

I also respectfully request copies of e-mails and attachments to and from all of Darlene Wink, Fran McLaughlin, Thomas Nardelli, Kelly Rindfleisch and County Executive Walker's email accounts to and from email addresses ending in the following suffixes from 1/1/2009 to 5/14/2010:

@RGA.org
@RNC.com
@wisgop.org
@scottwalker.org
@afphq.org
@wpri.org
@abc.com

If part of the information is available immediately, I would prefer to have access to the information immediately while the remainder of the information is prepared for review.

It is not my intention to burden you or your staff with this request during such difficult fiscal times, so the Democratic Party of Wisconsin will pay any fees related to producing and delivering copies of the records. However, please contact me before proceeding if the cost will exceed \$100. I would appreciate a written response to my request "as soon as practicable and without delay," as required by Wisconsin's Open Records Law.

Best,

Brandon Lorenz
Deputy Communications Director
Democratic Party of Wisconsin
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From: kmrindfleisch@gmail.com
To: Keith
Subject: Re: JS
Date: Tuesday, July 27, 2010 2:55:43 PM

Let me know and I'll get it taken care of.
Sent from my U.S. Cellular BlackBerry® smartphone

-----Original Message-----

From: "Keith Gilkes - Friends of Scott Walker" <kgilkes@scottwalker.org>
Date: Tue, 27 Jul 2010 14:29:05
To: <kmrindfleisch@gmail.com>
Subject: RE: JS

You should do this and get it to talk radio ASAP to get our spin on it right away. I would suggest doing this for tomorrow AM.

I can make the pitch to Scott on it - we should make sure he knows what you are doing before we do it.

But yes - this should absolutely be done.

Keith Gilkes
Friends of Scott Walker
Office: (414) 453-2010

-----Original Message-----

From: kmrindfleisch@gmail.com [<mailto:kmrindfleisch@gmail.com>]
Sent: Tuesday, July 27, 2010 2:03 PM
To: Keith
Subject: Re: JS

Jesus tom is dense sometimes. Stop me if you knew this - bice called last friday about us charging weishan 2800 bucks for his open records request. He's gonna spin it as we're charging this outrageous amount and the public has a right to know.

For his \$2800 he got four pages. My thought was to get weber or charlie the request the hours it took IMSD to complete the request and the response. Spin it as this jackass spent \$2800 of taxpayer money and wasted hours and hours of county employees time on a political fishing expedition. This would preempt any story bice would do.

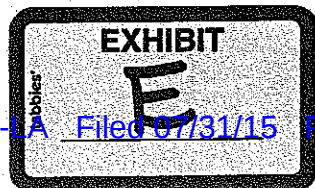
Tom doesn't get it at all.

-----Original Message-----

From: Keith
To: kmrindfleisch@gmail.com
Subject: RE: JS
Sent: Jul 27, 2010 9:56 AM

Sounds like a very good process. I think as you move through the review on the records - send them a batch and then have Fran from time to time ask them if they got everything they were looking for.

I agree giving them more is better, especially with them focused on the construction, keeps the focus there. Go through the process and manage them. You are doing this the right way.



BHD - let me know if you have anything new to update there whenever.

Keith Gilkes
Friends of Scott Walker
Office: (414) 453-2010

-----Original Message-----

From: kmrindfleisch@gmail.com [mailto:kmrindfleisch@gmail.com]
Sent: Tuesday, July 27, 2010 9:51 AM
To: Keith
Subject: JS

Umhoefer and Schultze have been hounding skw to release o'donnell records (they have open records requests). Skw is anxious to get them what they want. We are still trying to determine what can be released.

Last night, I had Fran call Schultze and walk through their requests to determine if info provided fulfilled their request and what they still needed. Goodwill gesture so they know we aren't holding out. Skw seemed pleased with that. We'll keep sending them info as its found and ok'd to release and skw sees it. All the stuff they want is related to the build of it, so there shouldn't be anything negative for skw.

I didn't mention on the phone call cause Tom would have a shit fit.

The BHD questions continue. I need to get up to date on that. I'll let you know of any red flags.

ME
Sent from my U.S. Cellular BlackBerryR smartphone

Sent from my U.S. Cellular BlackBerryR smartphone