

1 violation of the requirement of the California Public Records Act (“CPRA”) that Respondent
2 promptly disclose public records responsive to the two CPRA requests herein specified dated
3 November 14, 2019 and December 18, 2019 (the “CPRA Requests”), including the prompt assertion
4 of any one or more exemptions purportedly allowing Respondent to withhold any or all of the
5 records requested in the CPRA Requests (the “Requested Records”) and (ii) that by reason of
6 Respondent’s prolonged, deliberate and unjustified failure to timely respond to the CPRA Requests,
7 Respondent has waived, and may not assert, any exemption that is for the benefit of Respondent as
8 opposed to the protection of the privacy or other rights of a person other than Respondent and (b)
9 directing the Regents and/or their *de facto* custodian of records for the University of California at
10 Los Angeles Law School (“UCLA” or “the University”) to provide true, correct and complete copies
11 of all of the Requested Records to Petitioner within fifteen days of the entry of the judgment on this
12 Petition with the exception only of (i) those of the Requested Records true, correct and complete
13 copies of which were already provided by Respondent to Petitioner prior to the entry of the judgment
14 on this Petition and (ii) those of the Requested Records which this Court has determined are properly
15 subject to an exemption which has not been waived by reason of Respondent’s prolonged, deliberate
16 and unjustified failure to timely respond to the CPRA Requests.

17 2. On November 14, 2019, Petitioner sent Respondent a CPRA request (the “11/14/2019
18 CPRA Request”) seeking records concerning the University’s work with private outside parties
19 including law enforcement to develop theories of litigation against, and pursue as targets of
20 investigation, perceived opponents of a political and policy agenda shared by these outside parties
21 and certain faculty, and the University’s Emmett Institute on Climate Change and the Environment
22 (the “Emmett Center”) for which they work (the “Climate Change Agenda”). Records requested in
23 the 11/14/2019 CPRA Request include correspondence with two individuals who, public records
24 show, are principally responsible for underwriting these efforts at this public institution, and with a
25 state office of attorney general which apparently took Prof. Cara Horowitz’s requested course of
26 action in suing a private party for climate-related “consumer protection” offenses. The 11/14/2019
27 CPRA Request was precise, requires no subjectivity in processing but only a simple keyword search,
28 and is, and was deliberately crafted to be, unlikely to yield records subject to legitimate privilege

1 claims. A true and correct copy of the 11/14/2019 CPRA Request is attached to this petition as
2 Exhibit 1.

3 3. The Climate Change Agenda is the basis for proposals to urgently redesign our
4 national (and the global) economic and political/policymaking system¹ and for siccing law
5 enforcement on free speech in order to silence it, in the name of planetary salvation. The Climate
6 Change Agenda is also the express basis for employing our public institutions, in addition to law
7 enforcement, in unprecedented ways. Universities including the University of California at Los
8 Angeles School of Law have taken it upon themselves, in concert with activists, the plaintiff's tort
9 bar, major financial contributors, and state attorneys general, to accelerate this revolution² by
10 instituting legal actions against political opponents.

11 4. As Prof. Horowitz candidly if indelicately described this campaign in an email to her
12 Center's principal non-governmental benefactor, this entails "going after climate denialism [sic]—
13 along with a bunch of state and local prosecutors nationwide"³.

14 5. That campaign has led to attorney general investigations of private parties⁴, and
15 targeted more than 100 research and advocacy groups, scientists and other private parties and
16 entities.⁵

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18 ¹ See, e.g., *Juliana v. United States*, 9th Cir., No. 18-36082, D.C. No. 6:15-cv-01517- AA, Slip Op.,
January 17, 2020, <https://cdn.ca9.uscourts.gov/datastore/opinions/2020/01/17/18-36082.pdf>.

19 ² "[O]ur Emmett Institute on Climate Change and the Environment... was founded as the first U.S.
20 law school center dedicated to fighting climate change through law and policy".
21 <https://law.ucla.edu/centers/environmental-law/emmett-institute-on-climate-change-and-the-environment/events/5279/2019/4/22/Climate-Change-on-Trial-c--An-Earth-Day-Conversation-with-Julia-Olson-Lead-Attorney-for-Landmark-Childrens-Climate-Lawsuit/> at 0:10 – 0:25. Prof. Cara
22 Horowitz.

23 ³ "Hi Dan, Thought you would like to hear that Harvard's enviro clinic, UCLA Emmett Institute, and
24 the Union of Concerned Scientists are talking together today about going after climate denialism
25 [sic]—along with a bunch of state and local prosecutors nationwide. Good discussion." April 25,
2016 email from UCLA Law School's Cara Horowitz to Dan Emmett, namesake and funder of the
26 Harvard and UCLA centers, Subject: See, e.g., <https://climatelitigationwatch.org/on-the-subject-of-recruiting-law-enforcement-email-affirms-origin-of-prosecutorial-abuses/>.

27 ⁴ *People of the State of New York v PricewaterhouseCoopers and Exxon Mobil Corporation*, New
28 York State Supreme Court, New York County, No. 451962/2016, and 1:17-cv-2301 in U.S. District
Court, Southern District of New York; *People of the State of New York v. Exxon Mobil
Corporation*, Supreme Court of New York Index No. 452044/2018; *Commonwealth of
Massachusetts v. Exxon Mobil Corporation*, Suffolk County Superior Court, 19-3333.

1 6. Public records already obtained from other institutions affirm the University’s role,
2 through its faculty’s role in their official UCLA capacities, in this effort led by activist groups and
3 the Attorneys General of Massachusetts and New York. This role has included participating in a
4 “secret meeting at Harvard”⁶ in March 2016 to brief staff of state attorneys general, activists, and
5 “prospective funders”⁷ of a coordinated campaign pushing “potential state causes of action against
6 major carbon producers”⁸, which is the subject of great media and public interest due to the
7 controversial origin of - and collaboration involved in - these investigations.

8 7. A true and correct copy of the “secret meeting at Harvard” agenda is attached to this
9 petition as Exhibit 2. At this meeting, panelists advocated to staff of numerous offices of attorneys
10 general to consider “potential state causes of action against major carbon producers”. A public
11 record obtained from the California Office of Attorney General (OAG) titled “Technical Advisors
12 and Experts” lists Prof. Horowitz among the presenters at that briefing.

13 8. At this meeting, Prof. Horowitz advocated “climate” related “Consumer protection
14 claims” be brought against energy companies. The Massachusetts Attorney General’s Office sent
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18 ⁵ See, e.g., Valerie Richardson, “Exxon climate change dissent subpoena sweeps up more than 100
19 U.S. institutions”, Washington Times, May 3, 2016, <https://www.washingtontimes.com/news/2016/may/3/virgin-islands-ag-subpoenas-exxon-communications/>;
20 Walter Olson, “Massachusetts AG to Exxon: hand over your communications with think tanks”, June 16, 2016, <https://www.overlawyered.com/2016/06/+setts-ag-exxon-hand-communications-think-tanks/>.

21 ⁶ “I will be showing this Monday at a secret meeting at Harvard that I’ll tell you about next time we
22 chat. very [sic] exciting!” April 22, 2016, email from Oregon State University Professor Philip Mote
23 to unknown party, Subject: [REDACTED], and “I’m actually also planning to show this in a secret
24 meeting next Monday—will tell you sometime.” April 20, 2016, Philip Mote email to unknown
25 party, Subject: [REDACTED]. Both obtained from Oregon State University on March 29, 2018, in
26 response to a January 9, 2018 Public Records Act (PRA) request.

27 ⁷ “We will have as small number of climate science colleagues, as well as prospective funders, at the
28 meeting.” March 14, 2016, email from Frumhoff to Mote; Subject: invitation to Harvard
29 University—UCS convening. Obtained under same PRA request cited in FN 6.

30 ⁸ “Confidential Review Draft—March 20, 2016, Potential State Causes of Action Against Major
31 Carbon Producers: Scientific, Legal, and Historical Perspectives.” Obtained in Energy &
32 Environment Legal Institute v. Attorney General, Superior Court of the State of Vermont, 349-16-9
33 Wnc, December 6, 2017.

1 five attorneys to this briefing,⁹ and subsequently filed a complaint against ExxonMobil for “potential
2 violations of the Massachusetts consumer protection statute” which is now pending in a
3 Massachusetts state court.¹⁰

4 9. From that “secret meeting”, Prof. Horowitz wrote the above-cited email to her
5 principal (non-governmental) benefactor Dan Emmett, “Hi Dan, Thought you would like to hear that
6 Harvard's enviro clinic, UCLA Emmett Institute, and the Union of Concerned Scientists are talking
7 together today at Harvard about going after climate denialism--along with a bunch of state and local
8 prosecutors nationwide. Good discussion.” A true and correct copy of this email as produced by
9 UCLA is attached to this petition as Exhibit 3.

10 10. This campaign flowed from a 2012 legal strategies meeting in La Jolla, California
11 convened to contemplate the general failure of legislative efforts to impose the “climate” agenda and
12 the use of courts to overcome that failure, the summary of which meeting stated, *inter alia*, “State
13 attorneys general can also subpoena documents, raising the possibility that a single sympathetic state
14 attorney general might have substantial success in bringing key internal documents to light. In
15 addition, lawyers at the workshop noted that even grand juries convened by a district attorney could
16 result in significant document discovery.”¹¹ The same report also stated, “Equally important was the
17 nearly unanimous agreement on the importance of legal actions, both in wresting potentially useful
18 internal documents from the fossil fuel industry and, more broadly, in maintaining pressure on the
19 industry that could eventually lead to its support for legislative and regulatory responses to global
20 warming.”¹²

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23 ⁹ See, e.g., March 17, 2016 email from OAG’s Melissa Hoffer to Harvard Law School’s Shaun
24 Goho, Subject: RE: SAVE THE DATE—HLS/UCS Meeting on April 25, 2016 listing Andy
25 Goldberg, Glenn Kaplan, Christophe Courchesne, Richard Johnson as participants in addition to
26 herself.

27 ¹⁰ Commonwealth of Massachusetts v. Exxon Mobil Corporation, Suffolk County Superior Court,
28 19-3333.

¹¹ Climate Accountability Institute, *Establishing Accountability for Climate Change Damages:
Lessons from Tobacco Control* 11 (Oct. 2012),

<http://www.climateaccountability.org/pdf/Climate%20Accountability%20Rpt%20Oct12.pdf>
(Summary of the Workshop on Climate Accountability, Public Opinion, and Legal Strategies).

¹² *Id.* at 27.

1 11. As part of its own mission to educate the public on the climate litigation industry,
2 Petitioner sought certain described correspondence of two named faculty, including Prof. Horowitz
3 and another who consults with the plaintiffs' bar bringing cases on behalf of municipalities, Emmett
4 Center aide and Law School Prof. Ann Carlson.¹³

5 12. In furtherance of the Climate Change Agenda, Respondent's past CPRA practice in
6 responding to requests for records that illuminate the Climate Change Agenda ("Climate Change
7 Agenda Records") includes both (a) the unjustified delay of responses to, and the production of
8 documents demanded in, requests for Climate Change Agenda Records and (b) the assertion of
9 unwarranted claims of exemption in attempts to avoid the production of key production of Climate
10 Change Agenda Records ("Regents' History of CPRA Violations Regarding Requests for Climate
11 Change Agenda Records"). Indeed, as long ago as September 2012, UCLA published a Statement on
12 the Principles of Scholarly Research and Public Records Requests (the "September 2012 Statement
13 on Principles of Scholarly Research and Public Records Requests") which remains in effect today
14 that states, in relevant parts, as follows: "... faculty scholarly communications must be protected
15 from PRA and FOIA requests to guard the principles of academic freedom, the integrity of the
16 research process and peer review, and the broader teaching and research mission of the university.
17 Moreover, these requests have increasingly been used for political purposes or to intimidate faculty
18 working on controversial issues. These onerous, politically motivated, or frivolous requests may
19 inhibit the very communications that nourish excellence in research and teaching, threatening the
20 long-established principles of scholarly research. ... *Faculty often choose research topics that are*
21 *highly relevant to society and therefore may generate strong reactions.* These topics may be
22 controversial and highly politicized (*e.g.* global warming) ... Faculty must be free to work on these
23 important topics without fear of retribution, threats or interference." (Italics in original.) A true and
24 correct copy of the September 2012 Statement on Principles of Scholarly Research and Public
25 Records Requests is attached to this petition as Exhibit 4.

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27 ¹³ See, e.g., Matt Dempsey, "UCLA Professor's Role In Climate Litigation Raises Transparency
28 Questions", November 27, 2018, Western Wire, <https://westernwire.net/ucla-professors-role-in-climate-litigation-raises-transparency-questions/>.

1 13. More recently, Prof. Horowitz sought to impede production of the remarkable “going
2 after climate denialism along with law enforcement” email “because disclosure may not serve the
3 public interest”.¹⁴ This attempt to impede release was despite that, as the California Office of
4 Attorney General writes, “A particular agency’s interest in nondisclosure is of little consequence in
5 performing this balancing test; it is the public’s interest, not the agency’s that is weighed.”¹⁵
6 (Emphases in the original.)

7 14. On November 14, 2019, Respondent sent its initial response to the 11/14/2019 CPRA
8 Request, which consisted of a form acknowledgement of receipt of the 11/14/2019 CPRA (the
9 “11/14/2019 CPRA Request Form Acknowledgement”). The 11/14/2019 CPRA Request Form
10 Acknowledgement states, in relevant part, as follows: “As required under Cal. Gov’t Code Section
11 6253, UCLA will respond to your request no later than the close of business on November 25, 2019.
12 Please note, though, that Section 6253 only requires a public agency to make a *determination* within
13 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to
14 provide the estimated date that the records will be made available. There is no requirement for a
15 public agency to actually *supply* the records within 10 days of receiving a request, unless the

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17 ¹⁴ For example, regarding CPRA requests 18-367 and 18-5666 and the productions that yielded the
18 “going after climate denialism” revelation, in a March 7, 2018 email to UCLA’s Information
19 Practices staff, Prof. Horowitz wrote, *inter alia*, “Ann and I would like to discuss this request with
20 counsel in our office. Would that be possible? Perhaps sometime early next week?” Later, on March
21 29, 2018, Prof. Horowitz wrote to IP about the Harvard event emails, *inter alia*, “I believe that some
22 of these emails, or some portions of these emails, should not be disclosed under the PRA
23 because disclosure may not serve the public interest. Please let’s discuss next week.” On April 3,
24 2018, IP responded, in part, “we can touch base about the concerns you note below”. Prof. Carlson
25 apparently shared her colleagues’ desire to withhold some of these public records. On January 18,
26 2019, IP’s principal point of contact, Marisa Hawkins, wrote again to Carlson: “I am in the process
27 of reviewing the documents you produced in response to the first CEI request, and I have a couple of
28 questions regarding one of the email chains you had flagged as a possible concern. Would you have
time for a quick call on Tuesday to discuss it?”. Numerous other records produced by the Regents
indicate that consultation did occur.

These delays played out with the University projecting then pushing off its response dates, anywhere
from six weeks to three months at a time, over and again until the requester finally filed suit on
November 6, 2018. (Competitive Enterprise Institute v. The Regents of the University of California,
Superior Court of California, County of Los Angeles, Case Number 18STCP02832) (that action, too,
sought a response to a follow-up CPRA request to which UCLA also had not substantively
responded nor provided any indication it was in fact processing, CPRA #18-5666, May 21, 2018).
Subsequent discussions with the University in the course of that litigation supported the conclusion
that the University had not in fact substantively processed the request prior to suit being filed.

¹⁵ Summary of the California Public Records Act 2004, California Attorney General’s Office,
https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/summary_public_records_act.pdf

1 requested records are readily available. Still, UCLA prides itself on always providing all disclosable
2 records in as timely a manner as possible.” (Italics in original, underlining added.) A true and correct
3 copy of the 11/14/2019 CPRA Request Form Acknowledgement is attached to this petition as
4 Exhibit 5.

5 15. On November 25, 2019, Respondent sent a second response to the 11/14/2019 CPRA
6 Request (the “11/25/2019 CPRA Request Additional Time Explanation”). The 11/14/2019 CPRA
7 Request Additional Time Explanation sets forth a list of four potential circumstances which “as
8 allowed pursuant to Ca. Gov’t Code § 6253(c)” might require additional time to respond to the
9 11/14/2019 CPRA Request and designates by a checked box only one of the potential circumstances
10 which Respondent asserted required additional time to respond to the 11/14/2019 CPRA Request –
11 namely: “[t]he need to search for and collect the requested records from field facilities or other
12 establishments that are separate from the office processing the request.” Respondent did not
13 designate by a checked box or otherwise any of the other three potential circumstances which
14 pursuant to Cal. Gov’t Code § 6253(c) might authorize additional time to respond to the 11/14/2019
15 CPRA Request (collectively, the “11/25/2019 CPRA Request Non-Designated Potential Additional
16 Time Circumstances”). The 11/25/2019 CPRA Request Non-Designated Potential Additional Time
17 Circumstances as listed but not designated in the 11/14/2019 CPRA Request Additional Time
18 Explanation are (a) “[t] need to search for, collect, and appropriately examine a voluminous amount
19 of separate and distinct records that are demanded in the request”, (b) “[t]he need for consultation,
20 which shall be conducted with all practicable speed, with two or more components of the agency
21 having substantial subject matter interest therein”, and (c) “[t]he need to compile and/or extract
22 data.” The 11/25/2019 Additional Time Explanation concludes with the representation that “IP will
23 further respond to your request no later than the close of business on December 9, 2019.”
24 (Underlining in original.) A true and correct copy of the 11/25/2019 Additional Time Explanation is
25 attached to this petition as Exhibit 6.

26 16. On December 9, 2019, Respondent sent a third response to the 11/14/2019 CPRA
27 Request (the “12/9/2019 Availability Estimate”). The 12/9/2019 Availability Estimate states, in
28 relevant part, that “[a]s required under Cal. Gov’t Code § 6253©, ... we are now able to provide you

1 with the estimated date that the responsive documents will be made available to you, which is March
2 26, 2020.” A true and correct copy of the 12/9/2019 Availability Estimate is attached to this petition
3 as Exhibit 7.

4 17. That 12/9/2019 Availability Estimate indicated that Regents intended to treat, and
5 was in the process of treating, the 11/14/2019 CPRA Request in conformity with Regents’ History of
6 CPRA Violations Regarding Requests for Climate Change Agenda Records. In particular, there is no
7 plausible basis other than Respondent’s desire to delay and obstruct Petitioner’s ability promptly to
8 obtain properly requested Climate Change Agenda Records since all of the records specified in the
9 11/14/2019 CPRA Request could and should have been produced by December 9, 2019 at the latest
10 given that (a) the 11/14/2019 CPRA Request provided search terms and dates, requiring no
11 subjectivity but only a computer keyword-and-dates search and (b) the only explanation offered by
12 Respondent as to why it had been unable to process this request was that the physical location of the
13 requested *electronic* records was in a different location than the office processing the request.

14 18. Rather than immediately file a petition challenging the adequacy of Respondent’s
15 response to the 11/14/2019 CPRA Request, Petitioner implemented a three-step process to determine
16 if Respondent would, even if belatedly, comply with its obligations in response to the 11/14/2019
17 CPRA Request without the need for the instant petition to be filed. As the first step, on December
18 11, 2019, Petitioner sent emailed Respondent a letter in response to the 12/9/2019 Availability
19 Estimate (the “12/11/2019 Availability Estimate Response”) stating, in relevant parts, as follows:
20 “We note the University did not provide any explanation why it has been unable to process this request
21 other than checking an outdated form category as the reason for this delay – citing to the physical
22 location of these *electronic* records, which the University maintains are somehow in a different location
23 than the Information Practices office processing the request ...[W]e request the University provide the
24 requested records, or demonstrate that processing has occurred and why the University is unable to
25 produce these records, by January 11, 2020. That affords the University an additional month beyond
26 the statutory extensions of time, now exhausted, to process a simple, keyword-and-dates request for
27 electronic correspondence to which, we are confident, Information Practices has access....In the
28 event the University does not respond as such we intend to file a petition seeking a writ of mandate

1 to compel production of these public records, enforcing an important public right on an issue of
2 heightened public interest and importance.” A true and correct copy of the 12/11/2019 Availability
3 Estimate Response is attached to this petition as Exhibit 8.

4 19. As the second step, on December 18, 2019, Petitioner sent Respondent a second
5 CPRA request (the “12/18/2019 CPRA Request”) specifying certain described records pertaining to
6 Respondent’s processing of CPRA requests, and specifically its processing of the 11/14/2019 CPRA
7 Request, that would inform any proper analysis of Respondent’s handling of the 11/14/2019 CPRA
8 Request during the period from November 14, 2019 through December 18, 2019, inclusive. The
9 requested records include the ten CPRA requests received by UCLA Information Practices (“IP”)
10 immediately prior to its receipt of the 11/14/2019 CPRA Request, all initial responses thereto,
11 writings reflecting any work done by IP in processing the 11/14/2019 CPRA Request, and whatever
12 log IP possessed regarding the current status of processing CPRA requests. A true and correct copy
13 of the 12/18/2019 CPRA Request is attached to this petition as Exhibit 9.¹⁶

14 20. On December 18, 2019, Respondent sent its initial response to the 12/18/2019 CPRA
15 Request (the “12/18/2019 CPRA Request Acknowledgement/Additional Time Explanation”). The
16 12/18/2019 CPRA Request Acknowledgement/Additional Time Explanation consisted of an
17 acknowledgement, of Respondent’s receipt of the 12/18/2019 CPRA Request and the same list set
18 forth in the 11/25/2019 CPRA Request Additional Time Explanation of four potential circumstances
19 which “as allowed pursuant to Ca. Gov’t Code § 6253(c)” might authorize additional time to respond
20 to the 12/18/2019 CPRA Request. The 12/18/2019 CPRA Request Acknowledgement/Additional
21 Time Explanation designated, by checked boxes, two of the potential circumstances which
22 Respondent asserted required additional time to respond to the 12/18/2019 CPRA Request – namely:
23 (a) “[t]he need for consultation, which shall be conducted with all practicable speed, with two or
24 more components of the agency having substantial subject matter interest therein”, and (b) “[t]he
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26 ¹⁶ As the third step, Petitioner waited an additional four months after December 9, 2019, past even
27 the extended and arbitrary March 26, 2020 date estimated by Respondent for the availability of the
28 documents responsive to the 11/14/2019 CPRA Request, to see if Respondent’s actions during that
period would establish Respondent’s compliance, even if tardy, with its obligations under the CPRA
in responding to the 11/14/2019 CPRA Request and the 12/18/2019 CPRA Request. No such
compliance occurred.

1 need to compile and/or extract data.” Respondent did not designate by a checked box or otherwise
2 either of the other two potential circumstances which pursuant to Cal. Gov’t Code § 6253(c) might
3 authorize additional time to respond to the 11/14/2019 CPRA Request (jointly, the “12/18/2019
4 CPRA Request Non-Designated Potential Additional Time Circumstances”). The 12/18/2019 CPRA
5 Request Non-Designated Potential Additional Time Circumstances listed but not designated in the
6 12/18/2019 CPRA Request Acknowledgement/Additional Time Explanation are (a) “[t]he need to
7 search for and collect the requested records from field facilities or other establishments that are
8 separate from the office processing the request” and (b) “[t] need to search for, collect, and
9 appropriately examine a voluminous amount of separate and distinct records that are demanded in
10 the request”. In its penultimate paragraph, the 12/18/2019 CPRA Request Acknowledgement/
11 Additional Time Explanation states that “IP will respond to your request no later than the close of
12 business on January 13, 2020 with an estimated date that responsive documents will be made
13 available.” (Underlining in original.) A true and correct copy of the 12/18/2019 CPRA Request
14 Acknowledgement/Additional Time Explanation is attached to this petition as Exhibit 10.

15 21. On December 20, 2019, Respondent in reply to the 12/11/2019 Availability Estimate
16 Response sent an email to Petitioner (the “12/11/2019 Availability Estimate Response Reply”)
17 stating that, *inter alia*, Respondent had satisfied its statutory obligation by providing Petitioner an
18 estimated date of production, disputing IP’s ready access to responsive, electronic records, and
19 providing, in relevant parts: “with regards to your perception that the Information Practices office
20 readily has access to the emails of others at UCLA, that is quite simply not the case. Indeed, there is
21 no central repository of emails at UCLA and our office in fact needs to reach out to the various
22 record custodians at UCLA to collect all potentially responsive records, including emails. ...
23 Consequently, we are dependent on the custodians, particularly busy law professors in this instance,
24 to initially collect and provide us with their potentially responsive records. Upon receiving such
25 records, as noted above, each and every document then needs to be carefully reviewed to not only
26 ensure that it is indeed responsive but to determine if it or any material within in it is subject to one
27 or more of the exemptions to disclosure that exist under the CPRA, and if so, redact accordingly.
28 This, unfortunately, is a time-consuming process, made more so with the volume of records

1 involved. ... I assure you, though, that we have indeed been processing your request, collecting and
2 reviewing records, and continue to do so, and we plan to produce responsive records to you as soon
3 as possible. Please know that if at all possible we will certainly be glad to produce a substantial
4 batch of documents to you by your preferred date of January 11, 2020. To that end, I am confirming
5 that this is our aim and that we indeed expect to produce a batch of records at that time.” A true and
6 correct copy of the 12/11/2019 Availability Estimate Response Reply dated 12/20/19 is attached to
7 this petition as Exhibit 11.

8 22. On January 10, 2020, Respondent, in partial response to the 11/14/2019 CPRA
9 Request, produced 1003 pages of copies of Notice of Docket Activity emails in electronic case filing
10 matters dated within the requested date range. Respondent stated in its accompanying cover letter
11 (the “11/14/2019 CPRA Request Partial Production Cover Letter”), in pertinent part, “we are making
12 certain of the requested records available to you; please find them attached. Additional records
13 responsive to your request will follow as they become available.” A true and correct copy of the
14 11/14/2019 CPRA Request Partial Production Cover Letter dated 1/10/2020 is attached to this
15 petition as Exhibit 12.

16 23. Next, on January 13, 2020, the estimated date set forth in the 12/18/2019 CPRA
17 Request Acknowledgement/Additional Time Explanation for Respondent to make available the
18 records requested by Petitioner in the 12/18/2019 CPRA Request, Respondent released a production
19 consisting almost entirely of copies of the 11/14/2019 CPRA Request as emailed to Respondent and
20 its acknowledgement thereof, while withholding all of the other records requested by the 12/18/2019
21 CPRA Request, the bulk, if not the entirety, of which (e.g., the preceding ten CPRA requests and
22 initial responses) are readily producible and require no meaningful, if any, exclusion review.
23 Respondent stated in its accompanying cover letter (the “12/18/2019 CPRA Request Partial
24 Production Cover Letter”), in pertinent part, “we are making certain of the requested records
25 available to you; please find them attached. Additional records responsive to your request will
26 follow as they become available.” Despite the fact that Ca. Gov’t Code § 6253(c) mandates that a
27 CPRA response which states that there are disclosable records which have not been produced but
28 will be produced in the future state the estimated time and date when the future production will

1 occur, Respondent included no such estimate in the 12/18/2019 CPRA Request Partial Production
2 Cover Letter dated 1/13/2020, or elsewhere. A true and correct copy of the 12/18/2019 CPRA
3 Request Partial Production Cover Letter dated 1/13/2020 is attached to this petition as Exhibit 13.

4 24. On February 14, 2020, Respondent, in a second partial response to the 11/14/2019
5 CPRA Request, produced 1002 pages of copies of Notice of Docket Activity emails in electronic
6 case filing matters dated within the requested date range. Respondent stated in its accompanying
7 cover letter (the “11/14/2019 CPRA Request Partial Production Cover Letter”), in pertinent part,
8 “we are making certain of the requested records available to you; please find them attached.
9 Additional records responsive to your request will follow as they become available.” A true and
10 correct copy of the 11/14/2019 CPRA Request Partial Production Cover Letter dated 2/14/2020 is
11 attached to this petition as Exhibit 14.

12 25. Most recently, on March 26, 2020, the estimated date set forth in the 12/9/2019
13 Availability Estimate for Respondent to make available the records requested by Petitioner in the
14 11/14/2019 CPRA Request, Respondent, in a third partial response to the 11/14/2019 CPRA
15 Request, Respondent, produced 789 pages of copies of Notice of Docket Activity emails in
16 electronic case filing matters dated within the requested date range. Respondent stated in its
17 accompanying cover letter (the “11/14/2019 CPRA Request Partial Production Cover Letter”), in
18 pertinent part, “we are making certain of the requested records available to you; please find them
19 attached. Additional records responsive to your request will follow as they become available.”
20 Despite the fact that Ca. Gov’t Code § 6253(c) mandates that a response to a CPRA request which
21 states that there are disclosable records which have not been produced but will be produced in the
22 future state the estimated time and date when the future production will occur, no such estimate is
23 included in the 11/14/2019 CPRA Request Partial Production Cover Letter dated 3/26/2020 or
24 elsewhere. A true and correct copy of the 11/14/2019 CPRA Request Partial Production Cover Letter
25 dated 3/26/2020 is attached to this petition as Exhibit 15.

26 26. In summary, after more than four months, Respondent’s response to the 11/14/2019
27 CPRA Request consists only of three partial productions of a single category of documents (i.e.,
28 electronic case filing notices) which by their nature are not subject to exclusion review for exempt

1 material. As a class, these ECF notices are immediately releasable with no such review, and no such
2 delays. All of these records are sent to Prof. Horowitz, none to Prof. Carlson; all include only the
3 same one email domain of four email domains named in Petitioner's request; and none include any
4 of the other three named therein. The productions avoid releasing any responsive records that
5 include the cited email domains of the Emmett Center's namesake benefactor, or substantive emails.

6 27. In addition, after more than three months, Respondent's response to the 12/18/2019
7 CPRA Request consists almost entirely of copies of Petitioner's 12/18/2019 CPRA Request as
8 emailed to Respondent, and its acknowledgement thereof. Respondent continues to withhold all of
9 the other records requested by the 12/18/2019 CPRA Request, the bulk, if not the entirety, of which
10 (e.g., the preceding ten CPRA requests and initial responses) are readily producible and require no
11 meaningful, if any, exclusion review.

12 PARTIES

13 28. Petitioner Government Accountability & Oversight, P.C. ("GAO") is a nonprofit
14 public interest law firm incorporated in Minnesota. GAO is dedicated to transparency in government
15 policymaking and enforcement and use of public institutions, with an emphasis on environmental
16 and energy policy. GAO's programs include open records requests and litigation, analysis, and
17 publication¹⁷ relating to environmental and energy policy and how policymakers use public
18 resources and the interaction between public institutions and special interests. GAO attorneys have
19 been particularly engaged in examining the genesis of a campaign by attorneys general that, *inter*
20 *alia*, subpoenaed over 100 private parties and entities in a campaign targeting opponents of the
21 "climate" policy agenda, including parties GAO has represented.¹⁸ Open records litigation by GAO's
22 current attorneys and related to that campaign is what first revealed UCLA's behind-the-scenes role
23 in that broader effort.

24 ¹⁷ GAO publishes ClimateLitigationWatch.org.

25 ¹⁸ See, e.g., Valerie Richardson, "Exxon climate change dissent subpoena sweeps up more than 100
26 U.S. institutions", Washington Times, May 3, 2016,
27 <https://www.washingtontimes.com/news/2016/may/3/virgin-islands-ag-subpoenas-exxon-communications/>;
28 Walter Olson, "Massachusetts AG to Exxon: hand over your communications with think tanks", [overlawyered.com](https://www.overlawyered.com/2016/06/massachusetts-ag-exxon-hand-communications-think-tanks/), June 16, 2016,
<https://www.overlawyered.com/2016/06/massachusetts-ag-exxon-hand-communications-think-tanks/>.

1 34. The “CPRA establishes a basic rule requiring disclosure of public records upon
2 request. In general, it creates ‘a presumptive right of access to any record created or maintained by a
3 public agency that relates in any way to the business of the public agency.’” *City of San Jose*, 2
4 Cal.5th at 616 (2017) (citation omitted).

5 35. Cal. Govt. Code § 6257 requires defendants to “make the records promptly
6 available...” The CRPA establishes an expedited procedure for judicial review of a public agency’s
7 failure to comply with its obligation to disclosure public records. Gov. Code §§ 6258 (providing that
8 any person may seek a writ of mandate to enforce the CPRA, and directing that “[t]he times for
9 responsive pleadings and for hearings in these proceedings shall be set by the judge of the court with
10 the object of securing a decision as to these matters at the earliest possible time.”); 6259(a)
11 (providing for in-camera review of withheld public records). And “[i]f the court finds that the public
12 official’s decision to refuse disclosure is not justified . . . , he or she shall order the public official to
13 make the record public.” Gov. Code § 6259(b).

14 36. The subject matter of any responsive records withheld in this matter is of great public
15 interest. It is all the more so given the apparent confluence of publicly funded universities as
16 strategists and advisors for political activists and the donor class on the one hand, and senior law
17 enforcement on the other hand, in developing an investigation into political opponents on an issue
18 that is inherently a political one.¹⁹ This confluence has been demonstrated, for example, by records
19 released and privilege logs in open-records requests and litigation in other states (specifically
20 Vermont²⁰ and New York²¹), and from numerous other state attorneys general offices that produced

21 _____
22 ¹⁹ See, e.g., *Native Vill. of Kivalina v. ExxonMobil Corp.*, 663 F. Supp. 2d 863, 871–77 (N.D. Cal.
23 2009), *aff’d*, 696 F.3d 849 (9th Cir. 2012), dismissing a previous suit against ExxonMobil brought
24 by Pawa. “The suit was dismissed by a U.S. district court in 2009 on the grounds that regulating
25 greenhouse gas emissions is “a political rather than a legal issue that needs to be resolved by
26 Congress and the executive branch rather than the courts.” Climate Accountability Institute,
27 *Establishing Accountability for Climate Change Damages: Lessons from Tobacco Control*, at p. 12.

28 ²⁰ See, e.g., Docket No. 349-6-16 Wncv, *Energy & Environment Legal vs. Attorney General of
Vermont*; Docket No. 558-9-16 Wncv, *Energy & Environment Legal vs. Attorney General of
Vermont*; Docket No. 450-8-17 Wncv, *Energy & Environment Legal vs. Attorney General of
Vermont*.

²¹ See, e.g., *Free Market Environmental Law Clinic et al. v. The Attorney General of New York*,
Index No. 101759/2016; *Energy & Environment Legal Institute v. The Attorney General of New
York*, Index No.101678/2016.

1 records without requiring litigation including but not limited to California, Connecticut, Illinois,
2 Washington State, and from Oregon State University.

3 37. All of the documents requested by the CPRA Requests are public records as defined
4 in Cal. Govt. Code § 6252(e).

5 38. Respondent is a state agency as defined in Cal. Govt. Code § 6252(f)(1).

6 39. Respondent has produced only the most anodyne documents responsive to the CPRA
7 Requests (the “Chaff”), dribbling out only copies of Petitioner’s request and Respondent’s initial
8 correspondence replying thereto, or copies of electronic case filing notices which as a class would
9 have been returned together in a search, required no review, and could and should have been
10 produced at once rather than staggered out for the appearance of a review and production process.
11 This staggered release of ECF email notices over months does not hide that Respondent has withheld
12 any substantive records after four months, promising that further records would come at some point
13 in the future; further, Respondent has declined even to produce the readily accessible,
14 contemporaneous CPRA requests and response letters Petitioner requested, which would allow
15 Petitioner and the public to determine whether Respondent’s processing of the 11/14/2019 CPRA
16 Request has been a slow-walking, in conformity with Regents’ History of CPRA Violations
17 Regarding Requests for Climate Change Agenda Records.

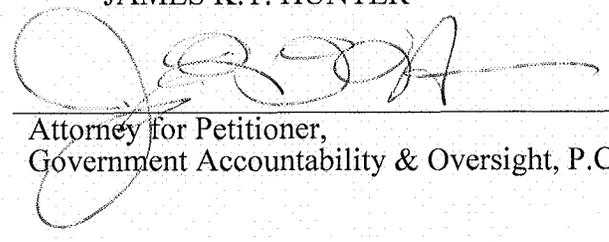
18 40. In particular, Respondent (a) has failed to produce any public records responsive to
19 the CPRA Requests other than the Chaff although (i) Respondent has conceded that there are
20 additional responsive records to both CPRA Requests in addition to the Chaff and (ii) the time that
21 has elapsed since Respondent’s receipts of the CPRA Requests has been much more than sufficient
22 to have allowed Respondent to fully process the CPRA Requests, including the prompt assertion of
23 any one or more exemptions purportedly allowing Respondent to withhold any of the records
24 requested in the CPRA Requests and (b) twice violated the mandate of Ca. Gov’t Code § 6253(c)
25 that a response to a CPRA request which states that there are disclosable records which have not
26 been produced but will be produced in the future state the estimated time and date when the future
27 production will occur.

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3. All further relief to which Petitioner may be justly entitled.

Dated: March 31, 2020

JAMES K.T. HUNTER



Attorney for Petitioner,
Government Accountability & Oversight, P.C.

1000

**REQUEST UNDER CALIFORNIA'S PUBLIC RECORDS ACT**

November 14, 2019

Records Management & Information Practices
10920 Wilshire Boulevard
Suite 530
Los Angeles, CA 90024-6541

BY ELECTRONIC MAIL — records@ucla.edu

Pursuant to the California Government Code §§ 6250 *et. seq.*, I request that that the custodian of University records produce, within 10 business days, copies of **any electronic mail sent to or from Ann Carlson and/or Cara Horowitz from April 25, 2016 through November 14, 2019, inclusive, that also is to, from, includes or uses anywhere an email address ending with** i) **@douglasemmett.com**, ii) **@nextenergytech.com**, iii) **@MassMail.State.MA.US** and/or iv) **@state.ma.us**.

We request any attachments to any such email; we request entire email “threads” in which any record responsive to this request is located, regardless whether any part of that thread extends before or beyond the above-stated time parameter; **we request records on the University’s system**, e.g., its backend logs, not those which survive on a faculty member’s own machine or account.

We reserve the right to inspect or assign a representative to inspect any records if for any reason the Office cannot or will not provide copies.

If the records are not currently in your possession, please notify me in writing, and provide any and all information about where and with whom the records may be found,

requested, viewed or copied, and/or when they will become available to your office. Given the nature of the records responsive to this request, all should be in electronic format, and therefore there should be no photocopying costs. If there is any cost associated with the searching, copying or production of these records, however, please also notify me in writing immediately.

We understand we owe the office the cost of material, required to satisfy this request. We agree to pay legitimate expenses up to \$50.00. If you estimate costs will exceed that please notify us immediately and break down the expected costs. This information is not, however, being sought for commercial purposes. If for any reason, our request for information cannot be satisfied without cost, then prior to any copying, please notify us immediately with the reasons for the denial and the cost that will be involved. Please produce these records electronically if possible to avoid unnecessary fees and otherwise conserve resources.

The undersigned do not seek the information for a commercial purpose. Therefore, in accordance with generally accepted policy, if there are any costs associated with this request, we request a waiver or reduction of any fees connected with this request as disclosure of these requested records are for the public purpose. GAO is organized and recognized by the Internal Revenue Service as a 501(c)3 public interest law firm that has research, legal, investigative and publication functions, as well as a transparency initiative seeking public records relating to environmental and energy policy and how policymakers use public resources, all of which include broad dissemination of public information obtained under open records and freedom of information laws. As such, it has no commercial interest possible in these records and the Office is permitted to and does exercise discretion in waiving or reducing fees on that basis.

This request is being made in the public interest, and furnishing this information will benefit the public's understanding of recent events regarding climate litigation and municipalities

which have been filing lawsuits against energy companies and working closely with attorneys general also to pursue opponents of the “climate” policy/political agenda. This information is being requested for the purpose of understanding how state institutions are involved, if at all, in the larger effort feeding this litigation industry.

The requested information is of critical importance to the nonprofit policy advocacy groups engaged on the issue of how public institutions are used toward private ends and/or in conjunction with private interests, news media covering the issues, and any others concerned with government activities on this critical subject, or as the United States Supreme Court once noted in the context of the federal FOIA, what their government, which under open records laws includes publicly funded academic institutions, is up to.

As you know, the law requires that you respond to and fulfill this request within 10 business days. If these records will not be produced within this time, please notify me in writing immediately and explain the reasons why.

If you deny this request or withhold the document responsive to this request, please describe the material withheld and specify in detail the statutory or administrative basis for withholding it. Please cite each specific exemption to the California Government Code that you have determined justifies the refusal to produce the record. All segregable, non-exempt parts of the documents should be provided.

We request you make a timely determination on this request consistent with the statute.

If you have any questions, or require clarification of this request, please feel free contact me at any time using the contact information listed with this request. Thank you for your prompt attention, time and consideration to this matter.

If you have any questions, or require clarification of this request, please feel free contact

me at any time. Thank you for your prompt attention, time and consideration to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Horner", is written over a faint, circular watermark or stamp.

Christopher C. Horner
chris@govoversight.org
1489 Kinross Lane
Keswick, VA 22947
202.262.4458

EXHIBIT 2

Confidential Review Draft – 20 March 2016

Potential State Causes of Action Against Major Carbon Producers:
Scientific, Legal and Historical Perspectives

25 April 2016
Harvard Law School, Cambridge MA

Co-organized by Harvard Law School and the Union of Concerned Scientists

Meeting Objectives:

- Create a 'safe space' for a frank exchange of approaches, ideas, strategies, and questions pertaining to potential state causes of action against major carbon producers and the cultural context in which such cases might be brought.
- Share legal and scientific information having an important bearing on potential investigations and lawsuits.
- Surface and consider key concerns, obstacles, or information gaps that may need to be addressed for investigations and lawsuits to proceed.
- Establish trusted and productive networks to support ongoing development of these ideas.

Meeting Agenda:

- 12-12:30: meet, mingle, lunch
- 12:30-1:00: Welcome and introductions (moderator: Goho)
 > Professor Richard Lazarus, Harvard Law School
 > Ken Kimmell, President, Union of Concerned Scientists
- 1:00-2:00: Introductory/overview panel (moderator: Frumhoff)
 > The question of climate responsibility Naomi Oreskes, Harvard
 > Lessons from tobacco litigation: Sharon Eubanks, Bordas & Bordas
 > The case for state-based investigations and litigation: tbd
 > Key legal issues: Shaun Goho, Harvard Law School
 Open Discussion (15 min)
- 2:00-3:00: Attributing Impacts to Climate Change and Carbon Producers
 > Extreme weather and climate change: Phil Mote, Oregon State
 > Sea level rise and coastal flooding: Ben Strauss, Climate Central
 > Tracing impacts to carbon producers Peter Frumhoff, UCS
 > Climate harms from a legal perspective Carroll Muffett, CIEL
 Open Discussion (20 min)
- 3:00-3:20: Break

3:20-4:20 State Causes of Action

- Public nuisance claims: Harvard, tbd.
 - Consumer protection claims: UCLA
 - Key obstacles & opportunities to address them Ken Kimmell, UCS
- Panel Discussion (30 min) (additional participants tbd)

4:20-5:15 Open Discussion (include messaging/communication/public dimension; process for ongoing expert input and dialogue;)

5:15: Wrap up and next steps

5:30: Adjourn

Continued information dialogue over dinner in Harvard Square, location tbd

EXHIBIT [3]

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Sent: Monday, April 25, 2016 11:53 PM
To: Dan Emmett
Subject: Re: UCLA and Harvard Emmetts come together today

I'll check with her about scheduling and get on your books.

Sent from my iPhone

> On Apr 25, 2016, at 11:11 PM, Dan Emmett <demmett@douglasemmett.com> wrote:

>
> Fascinating. We need to catch up soon.
> In fact can you and Ann and I get on the phone and talk about inviting
> new advisory board members? I am around much of the next three days.

> Dan
>
> Sent from my iPad

>> On Apr 25, 2016, at 10:49 AM, Horowitz, Cara <HOROWITZ@law.ucla.edu> wrote:

>>
>> Hi Dan,
>> Thought you would like to hear that Harvard's enviro clinic, UCLA Emmett Institute, and the Union of Concerned Scientists are talking together today at Harvard about going after climate denialism--along with a bunch of state and local prosecutors nationwide. Good discussion.

>>
>> Sent from my iPhone

>
>--

> Important Notice: This message is intended only for the person or
> entity to which it is addressed. The information provided is confidential.
> Accordingly, any review, retransmission, dissemination or other use of
> this information by, or disclosure of it to, anyone other than the
> intended recipient could have significant adverse effects and is
> prohibited. This message does not constitute an offer to purchase or
> sell any securities or other interests.

EXHIBIT 4

◀ POLICIES & FORMS (/POLICIES-FORMS)

ACADEMIC FREEDOM

From the joint Senate-Administration Task Force on Academic Freedom

STATEMENT ON THE PRINCIPLES OF SCHOLARLY RESEARCH AND PUBLIC RECORDS REQUESTS

September 2012

PREAMBLE

Robust, frequent, and frank intellectual exchange is essential to research and teaching at the university level. It is therefore a matter of great concern that faculty at public universities throughout the country are increasingly the objects of requests through state (California Public Records Act, or PRA) and federal (Freedom of Information Act, or FOIA) public records acts for emails, notes, drafts, and other documents. Public access laws are an important component of the democratic process in our society, and scholars themselves frequently benefit from this legal framework. However, faculty scholarly communications must be protected from PRA and FOIA requests to guard the principle of academic freedom, the integrity of the research process and peer review, and the broader teaching and research mission of the university. Moreover, these requests have increasingly been used for political purposes or to intimidate faculty working on controversial issues. These onerous, politically motivated, or frivolous requests may inhibit the very communications that nourish excellence in research and teaching, threatening the long-established principles of scholarly research.

THE PRINCIPLES OF SCHOLARLY RESEARCH

Faculty at UCLA carry out a triple mission of teaching, service, and research. The three parts of this mission are not identical: our service to the institution is by definition something that concerns the shared governance, operation, and decision-making here at UCLA and UC wide. By contrast, our research and teaching are often conducted in collaboration with others in our discipline at institutions around the world, and serve the general advancement of knowledge.

Sound, high-quality scholarship is a collective process of trial and error, peer review, and questioning that happens in classrooms, laboratories, offices, conferences, workshops, at work and at home, day and night, in the university and in the field. Through this collective process, scholarship is scrutinized, questioned, improved, and ultimately accepted or rejected by the community. There are a number of principles that underlie this process and are accepted across the disciplines, including the following:

Frank exchange among scholars is essential to advancing knowledge. Scholars frequently test ideas in extreme form, explore possibilities through hypotheticals, or play "devil's advocate," making claims they may not themselves believe in edgy, casual language not intended for public circulation or publication. These communications are frequent and diverse in nature because scholarship is a competitive and fast-paced process, requiring intensive communication among a diverse array of participants.

Peer review is built into the academic enterprise at every level. Review and contestation is a nearly constant feature of the exploration of scholarly problems, and that review comes from peers at every stage, from the initial identification of a problem to the publication of scholarly work on the problem. Publications are the final tangible result of scholarly exploration. A published work articulates in detail the methods, materials, and modes of research that led to the findings reported or the narrative constructed. Publications are written with the expectation that they will contribute new knowledge to a field and spur deeper examination of the problems addressed within them. In essence, peer review never ends.

Faculty often choose research topics that are highly relevant to society and therefore may generate strong reactions. These topics may be controversial and highly politicized (*e.g.*, global warming), deal with illegal or criminal behavior, or focus directly on contentious social questions (*e.g.*, ethnicity, sexual orientation). Faculty must be free to work on these important topics without fear of retribution, threats, or interference.

Faculty members regularly collaborate with colleagues at other institutions. Faculty within the UC system require, and deserve to have, the same freedom of communication with people at other universities and corporations, public and private. Faculty at private universities who perform equivalent research need not fear interference through state public records act requests pertaining to their scholarly contributions; neither should faculty at public universities such as UCLA.

Teaching and research are conducted and governed by the generally accepted professional and ethical commitments specific to each academic discipline. University policies generally incorporate, rather than supersede, those requirements and expectations. Thus, university faculty members already are held to very high professional and ethical standards in the conduct of their scholarly work.

THE POTENTIAL HARMS OF PUBLIC RECORDS REQUESTS FOR SCHOLARLY RECORDS

Frank, honest exchange depends on the maximum protection of the informal and everyday work, personal email, drafts, and records related to research and teaching. It is essential that regular and frequent communications among faculty within UCLA and with colleagues in other institutions remain within faculty control. Public records requests can lead to unnecessary and unwarranted increased time commitments necessary to monitor all that is written or said in case of potential public disclosure. A lack of protection from such requests can directly impinge on academic freedom (the "chilling effect") by causing faculty to avoid investigating controversial issues.

PRINCIPLES ENDORSED TO PROTECT SCHOLARLY COMMUNICATIONS

Clarity concerning what is considered a public record by the university is essential to the success of faculty research and teaching endeavors. The university must do its utmost to protect those records not subject to public records oversight and to prevent the chilling effect of public records requests on frank scholarly exchange. These principles are consistent with the letter and intent of the open records laws:

Protect the system of peer review at all levels. Public records requests are neither a substitute for nor an effective check on peer review by the scholarly community, but instead damage the process by threatening scholars into silence when they should be speaking truthfully and frankly about their concerns. The published record is the gold standard on which scholarship rests and it is readily available to the public. Public records requests of private, draft, or pre-publication materials only serve to confound the peer review process, rather than leading to an improvement or check on this process.

Protect the right of faculty to choose topics and research areas based on intrinsic criteria. Research that is politically or socially controversial should be subject to the same protections as any other kind of research. If the scholarly process is to function correctly, it must be protected from political, social, religious or other non-academic criteria of evaluation.

Provide the same protections to UCLA faculty that colleagues in private universities or corporations enjoy. Scholarship is inherently collaborative and extends beyond the bounds of a single lab or office or university. Hence, faculty at UCLA should be afforded the same kinds of protection offered elsewhere, including at private universities. Maximum protection of UCLA faculty also is necessary to ensure that our colleagues at other institutions do not experience "second-order" chilling effects, *i.e.*, a fear of collaborating with UC faculty due to concern about potential public disclosure of private materials.

Reiterate the value of the longstanding traditions of ethical and professional codes of conduct. Disciplines possess necessary and effective standards that govern the ethics of research. It is this time-tested oversight that ensures accountability. Public records requests should not be allowed to undermine these traditions.

CONCLUSION

The academic enterprise is intrinsically different from other enterprises conducted for the benefit of the public. Its product, *knowledge*, is intangible, yet it informs all of society in countless tangible ways, including technology, medical care, ecology, and art. Academia can only make these tremendous contributions to the quality of our lives if it operates according to the standards that *have* ensured its freedom from bias and its unwavering devotion to truth, whatever that truth may be. The threat to faculty of forced disclosure of scholarly communication through PRA/FOIA requests can damage intellectual freedom and interfere with robust scholarly communication. The proper forum for evaluating and vetting academic research is through the time-honored and rigorous process of peer review. The world's academic community, including its faculties and administrative leaders, must protect itself from these requests if it is to continue to function and contribute *to* society in the highly valuable manner that it has for centuries.

APM (/POLICIES-FORMS/APM)

THE UCLA CALL (/POLICIES-FORMS/THE-CALL/AN-INTRODUCTION-TO-THE-UCLA-CALL)

UCOP ([HTTP://WWW.UCOP.EDU/](http://www.ucop.edu/))

FACULTY CODE OF CONDUCT ([HTTP://WWW.UCOP.EDU/ACADEMIC-PERSONNEL-PROGRAMS/_FILES/APM/APM-015.PDF](http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf))

UNION CONTRACTS (/POLICIES-FORMS/UNION-CONTRACTS)

SEXUAL HARASSMENT PREVENTION/TITLE IX OFFICE
([HTTP://WWW.SEXUALHARASSMENT.UCLA.EDU/](http://www.sexualharassment.ucla.edu/))

ACADEMIC FREEDOM (/POLICIES-FORMS/ACADEMIC-FREEDOM)

STAFF TRAINING (/POLICIES-FORMS/STAFF-TRAINING/CERTIFICATE-IN-ACADEMIC-PERSONNEL-POLICIES-AND-PROCEDURES)

DEADLINES (/POLICIES-FORMS/DEADLINES/2019-20-DEADLINES)

FORMS (/POLICIES-FORMS/FORMS)

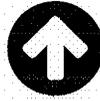
RELATED INFORMATION

Faculty Guide to Public Records Requests (<https://ucla.box.com/apo-public-records-request>)

ACADEMIC PERSONNEL OFFICE

UCLA.EDU ([HTTP://WWW.UCLA.EDU/](http://www.ucla.edu/)) | TERMS OF USE ([HTTP://WWW.UCLA.EDU/TERMS-OF-USE/](http://www.ucla.edu/terms-of-use/))

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EXHIBIT 15



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

November 14, 2019

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

RE: Acknowledgement of Public Records Request - PRR # 19-7464

Dear Christopher C. Horner:

This letter is to acknowledge your request under the California Public Records Act (CPRA) dated November 14, 2019, herein enclosed. Information Practices (IP) is notifying the appropriate UCLA offices of your request and will identify, review, and release all responsive documents in accordance with relevant law and University policy.

Under the CPRA, Cal. Gov't Code Section 6253(b), UCLA may charge for reproduction costs and/or programming services. If the cost is anticipated to be greater than \$50.00 or the amount you authorized in your original request, we will contact you to confirm your continued interest in receiving the records and your agreement to pay the charges. Payment is due prior to the release of the records.

As required under Cal. Gov't Code Section 6253, UCLA will respond to your request no later than the close of business on November 25, 2019. Please note, though, that Section 6253 only requires a public agency to make a *determination* within 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to provide the estimated date that the records will be made available. There is no requirement for a public agency to actually *supply* the records within 10 days of receiving a request, unless the requested records are readily available. Still, UCLA prides itself on always providing all publicly disclosable records in as timely a manner as possible.

Should you have any questions, please contact me at (310) 794-8741 or via email at cmalone@finance.ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

A handwritten signature in cursive script that reads "Chelsea Malone".

Chelsea Malone
Office Coordinator, UCLA Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

EXHIBIT 6



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

November 25, 2019

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

RE: Public Records Request - PRR # 19-7464

Dear Mr. Horner:

The purpose of this letter is to confirm that UCLA Information Practices (IP) continues to work on your public records request dated November 14, 2019. As allowed pursuant to Cal. Gov't Code § 6253(c), we require additional time to respond to your request, due to the following circumstance(s):

- The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in the request.
- The need for consultation, which shall be conducted with all practicable speed, with two or more components of the agency having substantial subject matter interest therein.
- The need to compile and/or extract data.

IP will further respond to your request no later than the close of business on December 9, 2019.

Sincerely,

A handwritten signature in cursive script that reads "Marisa H. Hawkins".

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

EXHIBIT 7



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

December 9, 2019

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

Re: Public Records Request - PRR # 19-7464

Dear Mr. Horner:

UCLA Information Practices (IP) continues to work on your public records request dated November 14, 2019. As required under Cal. Gov't Code § 6253, and as promised in our letter to you of November 25, 2019, we are now able to provide you with the estimated date that responsive documents will be made available to you, which is March 26, 2020.

As the records are still being compiled and/or reviewed, we are not able at this time to provide you with any potential costs, so that information will be furnished in a subsequent communication as soon as it is known.

Should you have any questions, please contact our office at (310) 794-8741 or via email at records@ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

A handwritten signature in cursive script that reads "Marisa H. Hawkins".

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu



December 11, 2019

Ms. Marisa Hawkins
Senior Public Records Analyst
UCLA Information Practices
10920 Wilshire Boulevard, Suite 107
Los Angeles, CA 90024-6543

By Electronic Mail — rbaldrige@finance.ucla.edu, adonmez@finance.ucla.edu,
records@ucla.edu, pra@finance.ucla.edu

RE: Public Records Request - PRR # 19-7464

Dear Ms. Hawkins,

We are in receipt of your “Letter of Estimated Availability” dated December 9, 2019, referencing the above-cited CPRA request of November 14, 2019. In that letter, the University delayed providing a substantive response to our request for at least¹ another three and a half months, citing “[t]he need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.”

This follows the University’s letter dated November 25, 2019, taking the sole statutory extension of time to process our request.²

¹ Our experience with the University is one of the University projecting, then pushing off, its response dates, anywhere from six weeks to three months at a time, over and again until the requester finally filed suit on November 6, 2018. I reference here CPRA #2018-5367, February 5, 2018. On behalf of the requester we finally filed suit on November 6, 2018, in *CEI v. Board of Regents* (we also filed seeking the required response to a follow-up, to which UCLA also had not substantively responded to or provided any indication it was in fact processing the request(s), PRA #18-5666, May 21, 2018). Subsequent discussions with the University supported the conclusion that no processing had in fact occurred prior to suit being filed.

² As the California Court of Appeals recently noted, in upholding an award of attorney’s fees in enforcing CPRA:

CPRA provides a streamlined and expedited process for public access to government records, because “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.” (§ 6250.) CPRA provides that “every person has a right to inspect any public record” (§ 6253, subd. (a)), “[e]xcept with respect to records exempt from disclosure by express provisions of law.” (§ 6253, subd. (b).) An agency has 10 days to respond to a CPRA request. One 14-day extension is permitted for specified purposes, including consultation with another agency having “substantial interest in the determination of the request.” (§ 6253, subd. (c)(3).) No further delays are authorized by the statute. *City of Los Angeles v. Metropolitan Water District of Southern California, et al.* Court of Appeals for the State of California, Second Appellate District, Division Eight, B272169

We note our request provided search terms and dates, requiring no subjectivity but only a computer keyword-and-dates search.

We note the University did not provide any explanation why it has been unable to process this request other than checking an outdated form category as the reason for this delay – citing to the physical location of these *electronic* records, which the University maintains are somehow in a different location than the Information Practices office processing the request.

Given the requirements of the California Public Records Act this of course is unacceptable. However, in the spirit of the holidays that are upon us we request the University provide the requested records, or demonstrate that processing has occurred and why the University is unable to produce these records, by January 11, 2020. That affords the University an additional month beyond the maximum statutory extensions of time, now exhausted, to process a simple, keyword-and-dates request for electronic correspondence, to which we are confident it is readily established Information Practices has access.

In the event the University does not respond as such we intend to file a petition seeking a writ of mandate to compel production of these public records, enforcing an important public right on an issue of heightened public interest and importance.

We request electronic production of these electronic records, as previously described. Any hard copy mailings should be sent to my attention at 1489 Kinross Lane, Keswick, VA, 22947.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Chris Horner", is written over a faint, dotted grid background.

Chris Horner
For GAO
chris@govoversight.org

EXHIBIT 9

**REQUEST UNDER CALIFORNIA'S PUBLIC RECORDS ACT**

December 18, 2019

Records Management & Information Practices
10920 Wilshire Boulevard
Suite 530
Los Angeles, CA 90024-6541

BY ELECTRONIC MAIL — records@ucla.edu

Pursuant to the California Government Code §§ 6250 *et. seq.*, I request that that the custodian of University records produce, within 10 business days, copies of:

1) a) The **ten (10) PRA requests assigned to/received by UCLA Information Practices (“IP”) immediately prior to its receipt of PRA # 19-7464** which are being processed by IP¹, b) **all initial responses** sent by IP to the requesters of said requests, c) all notifications to the requesters of said requests taking the statutory **14-day (or any other) extension** for any of said requests, and d) all notices sent by IP in response to any of said requests, in which IP provides an **estimated date for the production** of responsive documents.

2) **All Writings**, as defined in California Government Code §6252(g), i.e., **which reflect, record, or relate to any work done by IP in processing** the November 14, 2019 Public Records Act request made by Government Accountability & Oversight, P.C. (“GAO”), assigned

¹ While it may be that said requests were assigned PRR numbers 19-7454 through 19-7463, we recognize that IP may not either be assigned or process all PRA requests, so this seeks the prior 10 PRA requests assigned to/processed/being processed by IP prior to 19-7464, regardless of what PRR number is assigned to them. “b”, “c” and “d” also apply to the same ten requests as you define as captured by “a”.

PRR # 19-7464 (“PRR 19-7464”), during the period from November 14, 2019 through December 18, 2019, inclusive.²

3) All Writings which request or instruct IP that, upon IP’s receipt of a Public Records Act request by Christopher Horner and/or Government Accountability & Oversight (GAO), IP notify any person not employed in, at or by IP. For example, the Law School, or University Office of General Counsel, are not “employed in, at or by IP”.

4) **A log, spreadsheet or other list listing PRA requests received and/or being processed by IP during calendar year 2019 that is most current as of December 1, 2019**, and, if there is more than one such Writing, whichever log is most comprehensive in its inclusion of the date each PRA request was received, the name and address of the requester, the person assigned primary responsibility for handling each PRA request, estimated production dates and otherwise the nature and date of all responses by IP to each PRA request, including any estimated date of production.

To the extent that any responsive records are Emails, we request any attachments to any such email; we request entire email “threads” in which any record responsive to this request is located, regardless whether any part of that thread extends before or beyond the above-stated time parameter; **we request records on the University’s system**, e.g., its backend logs, not those which survive on a faculty member’s own machine or account.

² Item 2 includes, but is not limited to, a) records reflecting or addressing in any way the assignment or selection of one or more IP personnel to work on processing PRR 19-7464, b) any communication, written or oral, advising any person of the receipt of PRR 19-7464 and/or requesting assistance or advice in gathering or locating any potentially responsive records, c) any communication, written or oral, responding to such an advisement or request, d) all Writings which discuss, or upon which IP based, the estimated date of March 26, 2020 (“the Estimate”) set forth in Marissa Hawkins’s (“Hawkins”) correspondence to Christopher Horner/GAO dated December 9, 2019, referencing PRR 19-7464, and e) any Writings reviewed or relied upon by Hawkins and/or anyone else who participated in the determination of the Estimate in the course of determining the Estimate.

We reserve the right to inspect or assign a representative to inspect any records if for any reason the Office cannot or will not provide copies.

If the records are not currently accessible by you, please notify me in writing, and provide any and all information about where and with whom the records may be found, requested, viewed or copied, and/or when they will become available to your office. Given the nature of the records responsive to this request, the substantial bulk, if not the entirety, of such documents should be in electronic format, and therefore there should be no photocopying costs. As you know, the law requires that you respond to and fulfill this request within 10 business days, with one statutory extension permitted of up to fourteen days. If these records will not be produced within this time, please notify me in writing immediately and explain the reasons why.

GAO is organized and recognized by the Internal Revenue Service as a 501(c)3 public interest law firm that has research, legal, investigative and publication functions, as well as a transparency initiative seeking public records relating to environmental and energy policy and how policymakers use public resources, all of which include broad dissemination of public information obtained under open records and freedom of information laws. As such, it has no commercial interest possible in these records and the Office is permitted to and does exercise discretion in waiving or reducing fees on that basis.

This request is being made in the public interest and furnishing this information will benefit the public's understanding of recent events regarding climate litigation and attorneys general and municipalities which have been filing lawsuits against energy companies and working closely with attorneys general also to pursue opponents of the "climate" policy/political agenda. This information is being requested for the purpose of understanding state institution involvement in the larger effort feeding this litigation industry and in determining the extent to

which Regents and/or IP is improperly interfering with GAO's timely receipt of the records it has requested in order to support the "climate" policy/political agenda.

Nonetheless, if for any reason, our request for information cannot be satisfied without cost, then prior to any copying, please notify us immediately with the reasons for the denial and the cost that will be involved.

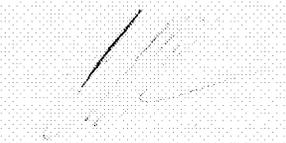
If you deny this request or withhold the document responsive to this request, please describe the material withheld and specify in detail the statutory or administrative basis for withholding it. Please cite each specific exemption to the California Government Code that you have determined justifies the refusal to produce the record. All segregable, non-exempt parts of the documents should be provided promptly on a rolling basis and the inclusion, or purported inclusion, of one or more documents that may be designated for exemption review should not be used as an excuse to fail the timely production of those documents, if there are any, which are not legitimately designatable for an exemption review. This manifestly includes, but is not limited to, those documents in IP's own files.

We request you make a timely determination on this request consistent with the statute.

If you must mail hard copies, please use 1489 Kinross Lane, Keswick, VA, 22947.

If you have any questions, or require clarification of this request, please feel free contact me at any time using the contact information listed with this request. Thank you for your prompt attention, time and consideration to this matter.

Respectfully submitted,



Christopher C. Horner

chris@govoversight.org



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

December 18, 2019

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

RE: Acknowledgement of Public Records Request - PRR # 19-7567

Dear Christopher C. Horner:

This letter is to acknowledge your request under the California Public Records Act (CPRA) dated December 18, 2019, herein enclosed. Information Practices (IP) is coordinating with the appropriate UCLA office(s) and will identify, review, and release all responsive documents in accordance with relevant law and University policy. As allowed pursuant to Cal. Gov't Code section 6253(c), we require additional time to respond to your request, due to the following circumstance(s):

- The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in the request.
- The need for consultation, which shall be conducted with all practicable speed, with two or more components of the agency having substantial subject matter interest therein.
- The need to compile and/or extract data.

IP will respond to your request no later than the close of business on January 13, 2020 with an estimated date that responsive documents will be made available.

Should you have any questions, please contact me at (310) 794-8741 or via email at cmalone@finance.ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

Chelsea Malone
Office Coordinator, UCLA Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

EXHIBIT 11

From: **Baldrige, Robert** <rbaldrige@finance.ucla.edu>
Date: Fri, Dec 20, 2019 at 8:01 PM
Subject: RE: Records Request -- Government Accountability & Oversight (19-7464)
To: chris@govoversight.org <chris@govoversight.org>
Cc: Donmez, Ayse <adonmez@finance.ucla.edu>, Hawkins, Marisa <mhawkins@finance.ucla.edu>

Dear Mr. Horner,

We are in receipt of your attached letter of December 11th regarding the attached request you submitted under the California Public Records Act ("CPRA") on November 14th. While you are certainly correct that a public agency in California has 10 days to respond to a CPRA request (or 10+14 days where an extension is used), the law clearly states that such a "response" is to inform the requestor of the *determination* as to whether or not the request is seeking records that are publicly disclosable and, if so, *to provide the estimated date that the records will be made available*, and if not disclosable, to provide the reasons therefor. As seen in the specific language of the CPRA statute below, there is no requirement for a public agency to actually produce the records within 10 days of receiving a request or within the 14-day extension:

Govt. Code 6253 (c) "Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, *determine* whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. **When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available.**" (emphasis added)

Consequently, our response to you of December 9th was fully in keeping with the letter of the law, as UCLA had made a determination that disclosable public records exist and informed you within the prescribed time limit of the estimated date of when the records will be made available.

Please know that records requests are handled on a case-by-case basis, with the amount of time needed to respond being dependent on many factors, such as the number of document custodians involved, types and volume of records requested, location(s) of potentially responsive records, the requisite review by our office of every page of potentially responsive documents for legal privilege (such as attorney-client, personal privacy, etc.), and also the amount of other open requests already being processed by our office that came in prior, along with the volume of pages to review for each of those. Additionally, besides processing all requests made to UCLA under the California Public Records Act, my office also processes subpoenas for UCLA records along with records requests made pursuant to other statutes/Acts, such as the California Labor Code, Information Practices Act, etc., along with assisting with the collection and production of records in relation to certain university litigation, and we only have a limited amount of staff to handle and process all the many hundreds upon hundreds of such records requests and subpoenas received each year.

Here, your request seeks over 3 ½ years of emails of two law professors, which encompasses a substantial volume of records that need to be collected and reviewed, which is a time-consuming process. Additionally, with regards to your perception that the Information Practices office readily has access to the emails of others at UCLA, that is quite simply not the case. Indeed, there is no central repository of emails at UCLA and our office in fact needs to reach out to the various record custodians at UCLA to collect all potentially responsive records, including emails. This is in keeping with the **University of California's Electronic Communications Policy**, which states: "*An electronic communications holder's consent shall be obtained by the University prior to any access for the purpose of examination or disclosure of the contents of University electronic communications records in the holder's possession ...*" (In particular, see sections IV.A and IV.B of the policy, which can be seen at the following link:

<https://policy.ucop.edu/doc/7000470/ElectronicCommunications>.) Further, that concept is reiterated in **UCLA Policy 410: Nonconsensual Access to Electronic Communications Records**, as seen at this link:

<http://www.adminpolicies.ucla.edu/APP/Number/410> Additionally, please see UCLA's **Statement on the Principles of Scholarly Research and Public Records** at this link: <https://www.apo.ucla.edu/policies-forms/academic-freedom>, which states, in part, that because robust, frequent, and frank intellectual exchange is essential to research and teaching at the university level, "It is essential that regular and frequent communications among faculty within UCLA and with colleagues in other institutions remain within faculty control."

Consequently, we are dependent on the custodians, particularly busy law professors in this instance, to initially collect and provide us with their potentially responsive records. Upon receiving such records, as noted above, each and every document then needs to be carefully reviewed to not only ensure that it is indeed responsive but to determine if it or any material within it is subject to one or more of the exemptions to disclosure that exist under the CPRA, and if so, redact accordingly. This, unfortunately, is a time-consuming process, made more so with the volume of records involved.

Consequently, the estimated availability date we provided is based on all the above reasons taken in concert with the work already done thus far in processing your request, while also taking into consideration the fact that the entire university completely shuts down for the holiday break with all offices closed from December 21, 2019 until January 2, 2020.

I assure you, though, that we have indeed been processing your request, collecting and reviewing records, and continue to do so, and we plan to produce responsive records to you as soon as possible. Please know that if at all possible we will certainly be glad to produce a substantial batch of documents to you by your preferred date of January 11, 2020. To that end, I am confirming that this is our aim and that we indeed expect to produce a batch of records at that time. We will follow up with you again about this upon our return in January.

Best regards,

Robert Baldrige

Manager, UCLA Records Management and Information Practices

(310) 794-8741

From: Chris Horner [mailto:chris@govoversight.org]

Sent: Wednesday, December 11, 2019 4:11 PM

To: UCLA Public Records <pra@finance.ucla.edu>; records@ucla.edu

Cc: Baldrige, Robert <rbaldrige@finance.ucla.edu>; Donmez, Ayse <adonmez@finance.ucla.edu>

Subject: Re: Records Request -- Government Accountability & Oversight (19-7464)

Please see the attached.

Best,

Chris Horner

On Mon, Dec 9, 2019 at 8:10 PM UCLA Public Records <pra@finance.ucla.edu> wrote:

Dear Christopher C. Horner,

Please find attached an Estimated Availability Letter regarding your request, as well as your original request for your reference.

Best regards,

UCLA Information Practices

records@ucla.edu

(310) 794-8741

--

Chris Horner

Government Accountability & Oversight

202.262.4458 M

--

Chris Horner

Government Accountability & Oversight

202.262.4458 M

EXHIBIT 12



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

January 10, 2020

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

Re: Public Records Request - PRR # 19-7464

Dear Mr. Horner:

This is a response to your request for public records under the California Public Records Act (CPRA), dated November 14, 2019, herein enclosed. UCLA is in the process of reviewing responsive documents and, pursuant to Cal. Gov't Code § 6253, we are making certain of the requested records available to you; please find them attached. Additional records responsive to your request will follow as they become available.

Although the CPRA authorizes UCLA to charge for reproduction costs and/or programming services,^[1] as a courtesy these fees have been waived. Any subsequent requests may be subject to copying and/or programming fees.

Should you have any questions, please contact our office at (310) 794-8741 or via email at records@ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

A handwritten signature in cursive script that reads "Marisa A. Hawkins".

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

Enclosure

^[1] California Government Code §6253(b)

EXHIBIT 13



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

January 13, 2020

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

Re: Public Records Request - PRR # 19-7567

Dear Mr. Horner:

This is a response to your request for public records under the California Public Records Act (CPRA), dated December 18, 2019, herein enclosed. UCLA is in the process of reviewing responsive documents and, pursuant to Cal. Gov't Code § 6253, we are making certain of the requested records available to you; please find them attached. Additional records responsive to your request will follow as they become available.

Although the CPRA authorizes UCLA to charge for reproduction costs and/or programming services,^[1] as a courtesy these fees have been waived. Any subsequent requests may be subject to copying and/or programming fees.

Should you have any questions, please contact our office at (310) 794-8741 or via email at records@ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

A handwritten signature in cursive script that reads "Marisa H. Hawkins".

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

Enclosure

^[1] California Government Code §6253(b)



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

February 14, 2020

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

Re: Public Records Request - PRR # 19-7464

Dear Mr. Horner:

This is a response to your request for public records under the California Public Records Act (CPRA), dated November 14, 2019, herein enclosed. UCLA is in the process of reviewing responsive documents and, pursuant to Cal. Gov't Code § 6253, we are making certain of the requested records available to you; please find them attached. Additional records responsive to your request will follow as they become available.

Although the CPRA authorizes UCLA to charge for reproduction costs and/or programming services,^[1] as a courtesy these fees have been waived. Any subsequent requests may be subject to copying and/or programming fees.

Should you have any questions, please contact our office at (310) 794-8741 or via email at records@ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

A handwritten signature in black ink that reads "Marisa H. Hawkins".

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

Enclosure

^[1] California Government Code §6253(b)

EXHIBIT 15



INFORMATION PRACTICES
10920 WILSHIRE BOULEVARD, SUITE 107
LOS ANGELES, CA 90024-6543

VIA EMAIL

March 26, 2020

Christopher C. Horner
Government Accountability & Oversight
Email: chris@govoversight.org

Re: Public Records Request - PRR # 19-7464

Dear Mr. Horner:

This is a response to your request for public records under the California Public Records Act (CPRA), dated November 14, 2019, herein enclosed. UCLA is in the process of reviewing responsive documents and, pursuant to Cal. Gov't Code § 6253, we are making certain of the requested records available to you; please find them attached. Additional records responsive to your request will follow as they become available.

Although the CPRA authorizes UCLA to charge for reproduction costs and/or programming services,^[1] as a courtesy these fees have been waived. Any subsequent requests may be subject to copying and/or programming fees.

Should you have any questions, please contact our office at (310) 794-8741 or via email at records@ucla.edu and reference the PRR number found above in the subject line.

Sincerely,

Marisa Hawkins

Senior Public Records Analyst, Records Management & Information Practices
(310) 794-8741 | (310) 794-8961 (fax) | records@ucla.edu

Enclosure

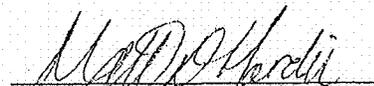
^[1] California Government Code §6253(b)

VERIFICATION

I, Matthew D. Hardin, am a Member of the Board of Directors of the Petitioner Government Accountability & Oversight, P.C. ("GAO"), and am authorized to make this verification on its behalf. I have personal knowledge of the facts alleged in the foregoing Petition as they concern GAO, and if called upon to testify I would competently testify as to the matters stated herein.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed at Stauntonville, VA on March 30, 2020.


Matthew D. Hardin