

MAINE PUBLIC RECORDS LAW REQUEST

January 8, 2025

Jonathan Bolton
[Freedom of Access Officer](#)
Maine Attorney General's Office
6 State House Station
Augusta, ME 04333

By Electronic Mail: Jonathan.bolton@maine.gov

Re: Certain described 2024 paperwork pertaining to retention of outside counsel

Dear Sir or Madam:

On behalf of Government Accountability & Oversight (GAO) — a non-profit public policy organization dedicated to transparency in government and with an active public dissemination and media program — pursuant to the Maine Freedom of Access Act, Maine Rev. Stat., Title 1, Ch. 13, I hereby request copies of:

1. Any common interest agreement, contingency fee or other fee agreement, secondment agreement, and/or retainer agreement and/or engagement agreements, entered into by your Office in 2024 with a) Hausfeld LLP, b) Sher Edling LLP, and/or c) DiCello Levitt LLP;¹
2. Any paperwork completed by your Office in 2024 pursuant to Maine Rev. Stat., Title 5, Ch. 155, §1816 Personal Services Contracting, and/or otherwise to obtain approval for or to document and/or justify its retention of a) Hausfeld LLP, b) Sher Edling LLP, and/or c) DiCello Levitt LLP.

In the event that the Office's custodian of public records determines that a release of a given record would contain confidential or private information or otherwise seek to withhold information, we request to state the reasons for any such withholdings.

We understand that in some instances a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the

¹ Requester notes in advance both Maine Rev. Stat., Title 5, Ch. 155, §1816(4), and that the records requested otherwise are not likely to be exempt from production. Numerous states and municipalities have voluntarily released these contracts and others, including most recently the State of New Jersey, have been forced to turn over these same retention agreements under public records laws, and courts have rejected any notion that the agreement between a state and that firm is itself privileged or confidential.

searching, copying or production of these records, please provide an estimate of anticipated costs.

As noted earlier in this request, GAO is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues. GAO's ability to obtain fee waivers is essential to this work. GAO intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. GAO ensures the public is made aware of its work and findings via media, its websites govoversight.org and climatelitigationwatch.org dedicated to broadly disseminating energy and environmental policy news and developments. The public information obtained by GAO have been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.

GAO requests records on your system, e.g., its backend logs, and does not seek only those records which survive on an employee's own machine or account. We do not demand your office produce requested information in any particular form, instead **we request records in their native form**, with specific reference to the U.S. Securities and Exchange Commission Data Delivery Standard. The covered information we seek is electronic information, this includes electronic *records*, and other public *information*.

GAO looks forward to your response. In the event you have any questions, please feel free to contact me at the below email address. Thank you for your prompt attention, time and consideration to this matter.

Respectfully submitted,
Joe Thomas
Joe@govoversight.org