

FILED
10-19-2021
CIRCUIT COURT
DANE COUNTY, WI
2021CV002526
Honorable Everett Mitchell
Branch 4

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

MIDWEST ENVIRONMENTAL
ADVOCATES, INC.,
612 West Main Street, Suite 302
Madison, Wisconsin 53703,

Plaintiff,

v.

Case No. _____
Civil – Petition for Writ of
Mandamus: 30952

FREDERICK PREHN, in his official
capacity as a Member of the Wisconsin
Natural Resources Board,
413 Jefferson Street,
Wausau, Wisconsin 54403,

WISCONSIN NATURAL RESOURCES
BOARD,
101 South Webster Street,
Madison, Wisconsin 53707, and

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES,
101 South Webster Street,
Madison, Wisconsin 53707,

Defendants.

COMPLAINT

This is an action to enforce Wisconsin's Public Records Law, Wis. Stat. §§ 19.31-.39. State law declares it the public policy of this state that every citizen is presumptively entitled to complete access to the records of state and local government. Plaintiff Midwest Environmental Advocates, Inc. ("MEA"), by its Attorneys, Adam Voskuil, Robert D. Lee, and Christa O. Westerberg, hereby

petitions this Court for a writ of mandamus directing the Defendants, Dr. Frederick Prehn, the Wisconsin Natural Resources Board (“NRB”), and the Wisconsin Department of Natural Resources (“DNR”), to produce records requested by Plaintiff, alleging to the Court as follows:

PARTIES

1. Plaintiff MEA is a Wisconsin non-profit corporation that operates an environmental law center located at 612 West Main Street, Suite 302, Madison, Wisconsin 53703. MEA is a “requester” as that term is defined in Wis. Stat. § 19.32(3).

2. Defendant Dr. Frederick Prehn, whose address is 413 Jefferson Street, Wausau, Wisconsin 54403, is Chair and a Member of the NRB. As a Member of the NRB, Dr. Prehn is a state officer and is thus an “authority” under the Public Records Law as defined in Wis. Stat. § 19.32(1).

3. Defendant NRB, located at 101 South Webster Street, Madison, Wisconsin 53707, is the policy board that directs and supervises the DNR, and as such is an “authority” as defined in Wis. Stat. § 19.32(1).

4. Defendant DNR, located at 101 South Webster Street, Madison, Wisconsin 53707, is a state agency and as such is an “authority” as defined in Wis. Stat. § 19.32(1). DNR is also the unit of government of which the NRB, and therefore Dr. Prehn, in his capacity as a Member of the NRB, is a part.

JURISDICTION AND VENUE

5. This Court has jurisdiction to hear this matter under Wis. Stat. § 19.37(1)(a), which provides records requesters with a private right to “bring an action for mandamus asking a court to order release of the record” when an authority withholds or delays access to all or part of a record after a written request for that record has been made.

6. Venue is proper in this County under Wis. Stat. § 19.37(1) and Wis. Stat. § 801.50(2).

FACTUAL ALLEGATIONS

7. On June 29, 2021, MEA Staff Attorney Robert D. Lee, acting on behalf of MEA, submitted a written Public Records Request via e-mail to NRB Liaison Laurie J. Ross requesting, among other things:

All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the board past the expiration of his term or otherwise declining to vacate his position on the Board.

8. The request defined the term “communications” as follows:

For the purposes of this request, the word “communications” includes, but is not limited to public records such as electronic mail, text messages, or other forms of written communications sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts or through any other means.

9. MEA submitted the June 29, 2021 records request to promote it and the public’s understanding as to why Dr. Prehn is refusing to step down from his position as a Member of the NRB after his term, which is fixed to six years under Wis. Stat. § 15.34(2)(a), expired on May 1, 2021.

10. Dr. Prehn was neither nominated by the Wisconsin Governor nor confirmed by the Wisconsin Senate to serve an additional term as a Member of the NRB.

11. Despite the expiration of Dr. Prehn’s term, as of the date of this filing, he continues to act as a Member of the NRB and preside over NRB meetings as Chair, thus continuing to exercise significant authority over policy decisions regarding the DNR’s management of natural resources within the State of Wisconsin.

12. Since the expiration of Dr. Prehn's term, he has presided over, in his capacity as Chair, five NRB meetings, including three regularly scheduled NRB meetings in May 2021, June 2021, and August 2021, and two special NRB meetings on October 8, 2021 and October 18, 2021. The September 2021 regularly scheduled NRB meeting was cancelled.

13. These NRB meetings have resulted in decisions that are matters of public controversy, including the NRB's decision at its August 2021 meeting to establish a fall 2021 wolf hunt quota that has become the subject of litigation in state and federal court. *See Great Lakes Wildlife Alliance v. DNR*, Case No. 21-CV-2103 (Dane Cty. Cir. Ct.) and *Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin v. DNR*, Case No. 3:21-CV-597 (W.D. Wis.).

14. On August 17, 2021, based on Dr. Prehn's refusal to step down from his position as a Member of the NRB after the expiration of his term, the Wisconsin Attorney General filed a Petition for a Writ of Quo Warranto in Dane County Circuit Court, Case No. 21-CV-1995, seeking a determination as to whether Dr. Prehn is unlawfully holding a public office. That case is being appealed as of the date of this filing. *State ex rel. Kaul v. Prehn*, Case No. 21-AP-1673 (Wis. Ct. App. Dist. IV).

15. Dr. Prehn communicates regarding NRB business by, *inter alia*, e-mail and text message. Other than the sender or recipient, Dr. Prehn has exclusive physical custody of and access to his text messages.

16. On June 30, 2021, Ross confirmed, via e-mail, that MEA's June 29, 2021 records request had been received. **A true and accurate copy of the e-mails containing the request and confirmation is attached hereto as Exhibit 1.**

17. On June 30, 2021, Lee received an e-mail from "DNRRecordsResponse@wisconsin.gov", informing him that Ross had forwarded MEA's June

29, 2021 records request to the DNR Records Response account and had been assigned reference number 21PRR8688. **A true and accurate copy of that e-mail is attached hereto as Exhibit 2.**

18. On July 1, 2021, DNR staff informed Lee that they had received MEA's June 29, 2021 records request and had begun coordinating a response. **A true and accurate copy of that e-mail is attached hereto as Exhibit 3.**

19. On August 13, 2021, DNR staff sent Lee an e-mail purporting to grant MEA's June 29, 2021 records request and containing links to responsive records. **A true and accurate copy of that e-mail is attached hereto as Exhibit 4.**

20. After reviewing the records, Lee determined that the responsive records DNR staff provided only contained e-mails and no other "communications" as that term had been defined in the request.

21. On August 25, 2021, Lee followed up with DNR staff via e-mail, inquiring as to the absence of these other "communications" and to ensure that the scope of MEA's June 29, 2021 records request was fully understood. After conferring with the "relevant staff", DNR staff responded via e-mail on September 3, 2021, confirming "that they did search for text messages as part of their record searches and they did not locate any text message records responsive to your request." **A true and accurate copy of those e-mails is attached hereto as Exhibit 5.**

22. On September 13, 2021, Lee, again on behalf of MEA, submitted an additional records request via e-mail to both Ross and the DNR Records Response account requesting "[a]ll text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021, and September 13, 2021." **A true and accurate copy of those e-mails is attached hereto as Exhibit 6.**

23. On September 13, 2021, DNR staff e-mailed Lee to inform him that it had received MEA's September 13, 2021 records request, that the request had been assigned reference number 21PRR8867, and that DNR staff had begun coordinating a response. On September 16, 2021, DNR staff sent Lee an e-mail with pictures of responsive text message records attached. **A true and accurate copy of those e-mails and the attached records are attached hereto as Exhibit 7.**

24. The text messages received in response to MEA's September 13, 2021 records request include a text message from Dr. Prehn to Smith, sent on April 26, 2021, stating:

I've got to decide if I'm going to stay on until the next appointee is confirmed. Evers notified me he's not going to reappoint me I guess he thinks there's some pretty big agenda items that I might not agree with LOL.

25. The available context in which the April 26, 2021 text message from Dr. Prehn to Smith was sent—i.e., unprompted by Smith—show that Dr. Prehn freely communicated about his decision to stay on the NRB and thus indicates the existence of additional text messages that may be responsive to MEA's June 29, 2021 request.

26. Neither the April 26, 2021 text message, nor any other text message, was provided in response to MEA's June 29, 2021 records request for communications sent to or from Dr. Prehn between June 29, 2020 and June 29, 2021 regarding his tenure on the NRB, including remaining on the NRB past the expiration of his term or otherwise declining to step down from his position on the NRB.

27. DNR staff's August 13, 2021 e-mail to Lee purporting to grant MEA's June 29, 2021 records request did not indicate that the request was being denied in part nor did it state the reasons for such denial.

CAUSE OF ACTION: VIOLATION OF WIS. STAT. § 19.35(1), (4)

Unlawful Denial of Records Request and Withholding of Responsive Records

28. Plaintiff incorporates by reference all allegations set forth in the preceding paragraphs as if fully stated herein.

29. Under the Public Records Law, it is the declared public policy of the State of Wisconsin that every citizen is entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees of government. Wis. Stat. § 19.31 affirms that there is a presumption of complete public access to government records and that the denial of public access is generally contrary to the public interest.

30. The Public Records Law provides that a requester “has a right to inspect any record” and “to make or receive a copy of any record”, except as otherwise provided in statute or common law. Wis. Stat. § 19.35(1)(a) and (b).

31. With limited exceptions, Wis. Stat. § 19.32(2) defines “record” as:

[A]ny material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by an authority. “Record” includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved.

32. The Wisconsin Supreme Court has held that, “[i]n determining whether a document is a record under Wis. Stat § 19.32(2), the focus is on the content of the document. To be a record under Wis. Stat. § 19.32(2), the content of the document must have a connection to a government function.” *Schill v. Wis. Rapids Sch. Dist.*, 2010 WI 86, ¶ 22, 327 Wis. 2d 572, 768 N.W.2d 177.

33. With limited exceptions not relevant here, Wis. Stat. § 19.32(3) defines “requester” as “any person who requests inspection or copies of a record.”

34. With limited exceptions not relevant here, Wis. Stat. § 19.32(1) defines “authority” as including, among other things, a state office, agency, or board. Although authorities may designate “legal custodians” of public records, “[t]he designation of a legal custodian does not affect the powers and duties of an authority under” the Public Records Law. Wis. Stat. § 19.33(7).

35. Once an authority receives a records request, the Public Records Law requires it to, “as soon as practicable and without delay, either fill the request or notify the requester of the authority’s determination to deny the request in whole or in part and the reasons therefor.” Wis. Stat. § 19.35(4)(a).

36. The Public Records Law requires an authority that denies a written request in whole or in part to issue to the requester a written statement explaining the reasons for denying the request. Wis. Stat. § 19.35(4)(b).

37. An authority may also not destroy a record after receiving a request for that record. Wis. Stat. § 19.35(4).

38. Text messages sent to or from Dr. Prehn regarding his tenure on the NRB, including remaining on the NRB past the expiration of his term or otherwise declining to step down from his position on the NRB, have a connection to a government function and are therefore “records” under the Public Records Law.

39. MEA’s June 29, 2021 records request was a written request for public records. MEA is thus a “requester” under the Public Records Law and is entitled to a written statement explaining the reasons for denying any portion of its records request.

40. Dr. Prehn, through the DNR, and as Chair and a Member of the NRB, violated the Public Records Law because he failed to fill MEA’s June 29, 2021 records request by not providing

all records responsive to that request—including responsive text messages—as evidenced by the discovery of responsive records through MEA’s September 13, 2021 records request to Smith.

41. Dr. Prehn, through the DNR, and as Chair and Member of the NRB, further violated the Public Records Law by failing to state in writing that MEA’s June 29, 2021 had been partially denied by withholding responsive records and the reasons for that partial denial.

42. To the extent responsive text messages could not be located, as indicated in the September 3, 2021 e-mail from DNR staff to Lee, Dr. Prehn either failed to adequately search for, withheld from DNR staff and thus MEA, or unlawfully deleted those text messages. “If an authority withholds a record . . . after written request for disclosure is made, the requester may . . . bring an action for mandamus asking a court to order release of the record.” Wis. Stat. § 19.37(1), (1)(a).

43. By the above-referenced actions and omissions, Dr. Prehn arbitrarily and capriciously delayed and denied MEA’s June 29, 2021 records request.

44. Dr. Prehn’s withholding of records responsive to the MEA’s June 29, 2021 records request caused and will continue to cause injury to Plaintiff by depriving it and the public of their rights under the Public Records Law.

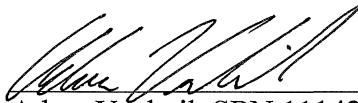
RELIEF REQUESTED

WHEREFORE, Plaintiff requests that the Court grant the following relief pursuant to Wis. Stat. § 19.31 *et seq.*:

1. A mandamus order compelling Defendants to immediately search for and produce all records responsive to MEA’s June 29, 2021 records request, including but not limited to text messages;

2. An award to Plaintiff for reasonable attorneys' fees and actual costs related to this public records action, and damages of not less than \$100 pursuant to Wis. Stat. § 19.37(2);
3. An award to Plaintiff for punitive damages under Wis. Stat. § 19.37(3); and
4. Such other relief as this Court deems appropriate.

Dated this 19th day of October, 2021.



Adam Voskuil, SBN 1114260
Robert D. Lee, SBN 1116468
MIDWEST ENVIRONMENTAL ADVOCATES, INC.
612 W. Main Street, Ste. 302
Madison, Wisconsin 53703
Telephone: (608) 251-5047
Facsimile: (608) 268-0205
avoskuil@midwestadvocates.org
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Christa O. Westerberg, SBN 1040530
PINES BACH LLP
122 W. Washington Avenue, Ste. 900
Madison, Wisconsin 53703
Telephone: (608) 251-0101
Facsimile: (608) 251-2883
cwesterberg@pinesbach.com

Attorneys for Plaintiff

Attachments

Exhibit 1 Exh. 1 001-002

Exhibit 2 Exh. 2 001-002

Exhibit 3 Exh. 3 001-001

Exhibit 4 Exh. 4 001-004

Exhibit 5 Exh. 5 001-003

Exhibit 6 Exh. 6 001-001

Exhibit 7 Exh. 7 001-006

EXHIBIT 1

RE: Public Records Request

Ross, Laurie J - DNR <Laurie.Ross@wisconsin.gov>

Wed 6/30/2021 9:37 AM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: MEA public records <publicrecords@midwestadvocates.org>; Adam Voskuil <AVoskuil@midwestadvocates.org>

This email confirms that your records request has been received.

Best regards,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Laurie J. Ross

Natural Resources Board Liaison – Office of the Secretary
Wisconsin Department of Natural Resources
101 South Webster Street
P. O. Box 7921, Madison, WI 53707-7921
Phone: (608) 267-7420
Fax: (608) 266-6983
Email: laurie.ross@wisconsin.gov



From: Rob Lee <rlee@midwestadvocates.org>

Sent: Tuesday, June 29, 2021 4:34 PM

To: Ross, Laurie J - DNR <Laurie.Ross@wisconsin.gov>

Cc: MEA public records <publicrecords@midwestadvocates.org>; Adam Voskuil <AVoskuil@midwestadvocates.org>

Subject: Public Records Request

Ms. Ross:

This e-mail is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization. MEA hereby requests:

1. All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
2. All communications sent to or from Gregory Kazmierski, between the dates of June 29, 2020 and June 29, 2021, regarding Dr. Frederick Prehn's tenure on the Natural Resources Board, including but not limited to any communication about Dr. Prehn remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.

3. All communications Dr. Frederick Prehn sent to or received from Scott Meyer or Bob Welch, between the dates of June 29, 2020 and June 29, 2021.

4. All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in "@prehn.co".

For the purposes of this request, the word "communications" includes but is not limited to public records such as electronic mail, text messages, or other forms of written communications sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means. Such professional or personal accounts for Dr. Prehn may include but are not limited to dr.frederick.prehnnrb@gmail.com, any e-mail account Dr. Prehn uses that ends in "@prehn.co", and the following cell phone number: 1 (715) 218-0831.

Please be aware that the Public Records Law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." Wis. Stat. § 19.31. The law requires a response to this request "as soon as practicable and without delay" and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a)-(b).

MEA respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). MEA is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied and the total cost will exceed \$50, please contact me before processing this request.

I prefer the requested records be provided in electronic format to the extent possible, either sent as a hyperlink to a file sharing platform or as e-mail attachments. If those options are not available, I prefer the records be provided through other electronic means such as a compact disc or USB drive.

Thank you in advance for your assistance. I can be reached by phone at (608) 251-5047 ext. 8, or via email at rlee@midwestadvocates.org (preferred) for any questions or concerns regarding this request.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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EXHIBIT 2

21PRR8688: MEA Prehn Communications Request

DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Wed 6/30/2021 9:56 AM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>; Adam Voskuil <AVoskuil@midwestadvocates.org>

Good morning,

Laurie Ross forwarded your public records request to our team's attention for processing. At this time, we have received your request and have begun processing it. The reference number will be **21PRR8688**, and your assigned coordinator will be in touch with you to continue processing the request.

Thank you, and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

DNR Records Response

Wisconsin Department of Natural Resources

P.O. Box 7921, Madison, WI 53707

Phone: (608) 266-2177

DNRRecordsResponse@wisconsin.gov



dnr.wi.gov



From: Rob Lee <rlee@midwestadvocates.org>

Sent: Tuesday, June 29, 2021 4:34 PM

To: Ross, Laurie J - DNR <Laurie.Ross@wisconsin.gov>

Cc: MEA public records <publicrecords@midwestadvocates.org>; Adam Voskuil <AVoskuil@midwestadvocates.org>

Subject: Public Records Request

Ms. Ross:

This e-mail is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization. MEA hereby requests:

1. All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
2. All communications sent to or from Gregory Kazmierski, between the dates of June 29, 2020 and June 29, 2021, regarding Dr. Frederick Prehn's tenure on the Natural Resources Board, including but not limited to any communication about Dr. Prehn remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
3. All communications Dr. Frederick Prehn sent to or received from Scott Meyer or Bob Welch, between the dates of June 29, 2020 and June 29, 2021.

4. All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in "@prehn.co".

For the purposes of this request, the word "communications" includes but is not limited to public records such as electronic mail, text messages, or other forms of written communications sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means. Such professional or personal accounts for Dr. Prehn may include but are not limited to dr.frederick.prehnnrb@gmail.com, any e-mail account Dr. Prehn uses that ends in "@prehn.co", and the following cell phone number: 1 (715) 218-0831.

Please be aware that the Public Records Law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." Wis. Stat. § 19.31. The law requires a response to this request "as soon as practicable and without delay" and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a)-(b).

MEA respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). MEA is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied and the total cost will exceed \$50, please contact me before processing this request.

I prefer the requested records be provided in electronic format to the extent possible, either sent as a hyperlink to a file sharing platform or as e-mail attachments. If those options are not available, I prefer the records be provided through other electronic means such as a compact disc or USB drive.

Thank you in advance for your assistance. I can be reached by phone at (608) 251-5047 ext. 8, or via email at rllee@midwestadvocates.org (preferred) for any questions or concerns regarding this request.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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EXHIBIT 3

21PRR8688: MEA Prehn Communications Request

Derge, Philip C - DNR <Philip.Derge@wisconsin.gov>

Thu 7/1/2021 9:55 AM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>; Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Good morning,

Katherine Walker, who is included on this email, has been assigned to coordinate your attached public records request for the following:

1. All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
2. All communications sent to or from Gregory Kazmierski, between the dates of June 29, 2020 and June 29, 2021, regarding Dr. Frederick Prehn's tenure on the Natural Resources Board, including but not limited to any communication about Dr. Prehn remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
3. All communications Dr. Frederick Prehn sent to or received from Scott Meyer or Bob Welch, between the dates of June 29, 2020 and June 29, 2021.
4. All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in "@prehn.co".

Because she is on leave for the next few days, I am sending this correspondence on her behalf. She will contact you if and when any records responsive to your request are located. She will also contact you before processing this request if there will be any fees to locate records, for which the DNR has authority to pre-bill for public records requests, per Wis. Stat. § 19.35(3)(f).

Thank you, and please let either Katherine or me know if you have any questions.

Sincerely,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Phil Derge

Pronouns: (he/him/his)

Public Records Division Coordinator – Environmental Management

Wisconsin Department of Natural Resources

101 S. Webster St.

P.O. Box 7921

Madison, WI 53707-7921

Phone: (608) 264-6125

Philip.Derge@wisconsin.gov



dnr.wi.gov



EXHIBIT 4

RE: 21PRR8688: MEA Prehn Communications Request

Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Fri 8/13/2021 4:33 PM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Good afternoon,

I'm writing with an update on your public records request for the following records:

- “(1) All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
- (2) All communications sent to or from Gregory Kazmierski, between the dates of June 29, 2020 and June 29, 2021, regarding Dr. Frederick Prehn's tenure on the Natural Resources Board, including but not limited to any communication about Dr. Prehn remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
- (3) All communications Dr. Frederick Prehn sent to or received from Scott Meyer or Bob Welch, between the dates of June 29, 2020 and June 29, 2021.
- (4) All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in '@prehn.co.'”

The Wisconsin Department of Natural Resources has concluded its search and located records responsive to your request. The responsive records can be downloaded from the following links:

- [21PRR8688 – Release Part I](#);
- [21PRR8688 – Release Part II](#).

Pursuant to the Wis. Stat. § 19.35(1)(a) balancing test, we redacted the home address, personal phone number, and personal email address of a private citizen from several email records. In performing the balancing test, we concluded that the public interest in withholding this personally identifiable information outweighs the presumption of full disclosure, and so personally identifiable information has been redacted. Specifically, disclosure of the redacted information would have a chilling effect on future communications with the Department.

Pursuant to the Wis. Stat. § 19.35(1)(a) balancing test, we redacted the personal phone numbers and personal email addresses of Natural Resources Board members from several email records. In performing the balancing test, we concluded that the public interest in withholding this personally identifiable information outweighs the presumption of full disclosure, and so personally identifiable information has been redacted. Specifically, disclosure of the redacted information would have a chilling effect on future communications with the Department.

Additionally, we applied the balancing test to two emails that was referred to law enforcement for review. In this one case, we determined that the contents of the emails should be made public, but that the name and email address of the person who sent the email should be withheld. This information is being withheld because the person is an ordinary citizen, and the email did not lead to any criminal charges against the individual. Viewed in this context we believe that the interest in public oversight is satisfied by release of the email itself, and that adding the name or email address of the author would not further enlighten the public regarding the operations of government, and would subject the individual to unwarranted ridicule or harassment. This in turn may discourage others from expressing their views to their government in the future, which is not in the public interest. Accordingly, the public interest in disclosure of the identity and email address of the author is outweighed by the public interest in non-disclosure.

Some records are attorney-client privileged communications and not subject to disclosure under the public records law. *George v. Record Custodian*, 169 Wis.2d 573, 582 (Ct. App. 1992); Wis. Stat. § 905.03(2). Where responsive records include attorney-client privileged communications and

communications not subject to this privilege, the attorney-client privileged communications have been redacted and the remaining responsive portions of the records have been released to you.

Finally, pursuant to the Wis. Stat. § 19.35(1)(a) balancing test, we have redacted information regarding law enforcement techniques and strategy for crime detection or prevention from several email records. In performing the balancing test, we concluded that the public interest in withholding the law enforcement techniques and strategy information outweighs the presumption of full disclosure, and so the law enforcement techniques and strategy information has been redacted. Specifically, disclosure of the redacted information would be detrimental to the future use of these law enforcement techniques and strategies

At this time, your public records request will now be considered closed. Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

Pursuant to Wis. Stat. § 19.35(4)(b), these determinations are subject to review by mandamus under Wis. Stat. § 19.37(1) or upon application to a district attorney or the Attorney General.

From: Walker, Katherine A - DNR

Sent: Tuesday, July 20, 2021 3:25 PM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Subject: RE: 21PRR8688: MEA Prehn Communications Request

Good afternoon,

Mark Herman informed me today that, after discussing your request with him, you are no longer interested in obtaining records responsive to item #4 of your request ("All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in '@prehn.co'.") at this time.

Given this, I'm writing with an update on your public records request. At this time, program staff have completed their searches for records responsive to your request and I'm currently reviewing the potentially responsive records for privileged and confidential information. There are seven requests older than yours on my caseload and we try to review the oldest outstanding requests first.

Although we cannot commit to providing records by a certain date, if there is an external deadline involved, it is good for us to be aware of that information.

Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Rob Lee <rlee@midwestadvocates.org>

Sent: Wednesday, July 7, 2021 10:34 AM

To: Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Exh. 4 002

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Subject: Re: 21PRR8688: MEA Prehn Communications Request

Thanks, Katherine. Confirming that the time frame for #4 is the same as the others.

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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From: Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Sent: Wednesday, July 7, 2021 9:38 AM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Subject: RE: 21PRR8688: MEA Prehn Communications Request

Good morning,

I'm writing to follow up on item #4 of your request below for the following records: "All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in '@prehn.co'." I wanted to clarify whether you're interested in the same time frame and subject matter as the previous three items of your request. Could you please confirm if this is the case, so we can continue processing your request?

If not, then please provide a time frame and subject matter for item #4 of your request to avoid this item of your request being denied as overly broad.

Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Derge, Philip C - DNR <Philip.Derge@wisconsin.gov>

Sent: Thursday, July 1, 2021 9:55 AM

To: rlee@midwestadvocates.org

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>; Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Subject: 21PRR8688: MEA Prehn Communications Request

Good morning,

Katherine Walker, who is included on this email, has been assigned to coordinate your attached public records request for the following:

1. All communications sent to or from Dr. Frederick Prehn, between the dates of June 29, 2020 and June 29, 2021, regarding his tenure on the Natural Resources Board, including but not limited to any communication about remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
2. All communications sent to or from Gregory Kazmierski, between the dates of June 29, 2020 and June 29, 2021, regarding Dr. Frederick Prehn's tenure on the Natural Resources Board, including but not limited to any communication about Dr. Prehn remaining on the Board past the expiration of his term or otherwise declining to vacate his position on the Board.
3. All communications Dr. Frederick Prehn sent to or received from Scott Meyer or Bob Welch, between the dates of June 29, 2020 and June 29, 2021.
4. All e-mails laurie.ross@wisconsin.gov sent to or received from any e-mail address ending in "@prehn.co".

Because she is on leave for the next few days, I am sending this correspondence on her behalf. She will contact you if and when any records responsive to your request are located. She will also contact you before processing this request if there will be any fees to locate records, for which the DNR has authority to pre-bill for public records requests, per Wis. Stat. § 19.35(3)(f).

Thank you, and please let either Katherine or me know if you have any questions.

Sincerely,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Phil Derge

Pronouns: (he/him/his)

Public Records Division Coordinator – Environmental Management

Wisconsin Department of Natural Resources

101 S. Webster St.

P.O. Box 7921

Madison, WI 53707-7921

Phone: (608) 264-6125

Philip.Derge@wisconsin.gov



dnr.wi.gov



EXHIBIT 5

RE: 21PRR8688: MEA Prehn Communications Request

Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Fri 9/3/2021 3:58 PM

To: Rob Lee <rlee@midwestadvocates.org>

Good afternoon Rob,

As an update, I confirmed with staff that they did search for text messages as part of their record searches and they did not locate any text message records responsive to your request.

Thank you and please let me know if you have any other questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Walker, Katherine A - DNR

Sent: Tuesday, August 31, 2021 4:15 PM

To: Rob Lee <rlee@midwestadvocates.org>

Subject: RE: 21PRR8688: MEA Prehn Communications Request

Good afternoon Rob,

As promised in our call yesterday, I'm writing to provide an update on the follow up for this request. As an update, the relevant staff are currently out of the office, so I hope to have the follow up for your request completed tomorrow once staff are back in the office.

Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Walker, Katherine A - DNR

Sent: Friday, August 27, 2021 10:42 AM

To: Rob Lee <rlee@midwestadvocates.org>

Subject: RE: 21PRR8688: MEA Prehn Communications Request

Good morning Rob,

10:00 a.m. works great and yes, I can be reached at the number in my signature block below.

Thank you and please let me know if you have any other questions. I also hope you have a great weekend!

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Rob Lee <rlee@midwestadvocates.org>

Sent: Friday, August 27, 2021 8:44 AM

To: Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Cc: Herman, Mark A - DNR <MarkA.Herman@wisconsin.gov>; Derge, Philip C - DNR <Philip.Derge@wisconsin.gov>

Subject: Re: 21PRR8688: MEA Prehn Communications Request

CAUTION: This email originated from outside the organization.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for your response, Katherine.

How about 10am? Shall I call the number in your signature?

Have a good weekend.

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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From: Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Sent: Friday, August 27, 2021 8:11 AM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: Herman, Mark A - DNR <MarkA.Herman@wisconsin.gov>; Derge, Philip C - DNR <Philip.Derge@wisconsin.gov>

Subject: RE: 21PRR8688: MEA Prehn Communications Request

Good morning Rob,

Thank you for your email. Would you be available for a call to discuss your questions below on Monday 08/30/21? I'm available from 9:00 a.m. – 12:30 p.m. on Monday, so please let me know what time works best for your schedule.

Thank you once again and please let me know if you have any other questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

From: Rob Lee <rlee@midwestadvocates.org>

Sent: Wednesday, August 25, 2021 6:39 PM

To: Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Cc: Herman, Mark A - DNR <MarkA.Herman@wisconsin.gov>; Derge, Philip C - DNR <Philip.Derge@wisconsin.gov>

Subject: Fw: 21PRR8688: MEA Prehn Communications Request

Hi Katherine,

There may be some confusion regarding this records request that has recently come to light. While the DNR Records Response address acknowledged receipt of the full request in a 6/30 e-mail that I've forwarded below, I'm realizing now the e-mail chain beginning with Phil Derge's 7/1 e-mail, on which you are cc'd, omitted a rather important part of the request in which we defined our use of the word "communications" for Requests 1-3. As you will see from the complete request below, that includes forms of communications for which we did not receive responsive records. Some of the records we have received also indicate the existence of additional records that are responsive to our request even with that omission. I'd appreciate the opportunity to discuss. Can we schedule a time to chat soon? Thanks for your time.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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Public Records Request

Rob Lee <rlee@midwestadvocates.org>

Mon 9/13/2021 10:26 AM

To: laurie.ross@wisconsin.gov <laurie.ross@wisconsin.gov>; DNR Records Response <DNRRRecordsResponse@wisconsin.gov>

Cc: MEA public records <publicrecords@midwestadvocates.org>

Bcc: Tony Wilkin Gibart <tgibart@midwestadvocates.org>; Peg Sheaffer <PSheaffer@midwestadvocates.org>

Ms. Ross:

This e-mail is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization. MEA hereby requests:

All text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021 and September 13, 2021. For the purposes of this request, text messages include iMessages, SMS (short message service) messages, MMS (multimedia message service) messages, or any other short form electronic communication other than electronic mail. MEA requests all text messages sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means.

Please be aware that the Public Records Law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." Wis. Stat. § 19.31. The law requires a response to this request "as soon as practicable and without delay" and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a)-(b).

MEA respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). MEA is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied and the total cost will exceed \$50, please contact me before processing this request.

I prefer the requested records be provided in electronic format to the extent possible, either sent as a hyperlink to a file sharing platform or as e-mail attachments. If those options are not available, I prefer the records be provided through other electronic means such as a compact disc or USB drive.

Thank you in advance for your assistance. I can be reached by phone at (608) 251-5047 ext. 8, or via email at rlee@midwestadvocates.org (preferred) for any questions or concerns regarding this request.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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EXHIBIT 6

Public Records Request

Rob Lee <rlee@midwestadvocates.org>

Mon 9/13/2021 10:26 AM

To: laurie.ross@wisconsin.gov <laurie.ross@wisconsin.gov>; DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Cc: MEA public records <publicrecords@midwestadvocates.org>

Bcc: Tony Wilkin Gibart <tgibart@midwestadvocates.org>; Peg Sheaffer <PSheaffer@midwestadvocates.org>

Ms. Ross:

This e-mail is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization. MEA hereby requests:

All text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021 and September 13, 2021. For the purposes of this request, text messages include iMessages, SMS (short message service) messages, MMS (multimedia message service) messages, or any other short form electronic communication other than electronic mail. MEA requests all text messages sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means.

Please be aware that the Public Records Law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." Wis. Stat. § 19.31. The law requires a response to this request "as soon as practicable and without delay" and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a)-(b).

MEA respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). MEA is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied and the total cost will exceed \$50, please contact me before processing this request.

I prefer the requested records be provided in electronic format to the extent possible, either sent as a hyperlink to a file sharing platform or as e-mail attachments. If those options are not available, I prefer the records be provided through other electronic means such as a compact disc or USB drive.

Thank you in advance for your assistance. I can be reached by phone at (608) 251-5047 ext. 8, or via email at rlee@midwestadvocates.org (preferred) for any questions or concerns regarding this request.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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EXHIBIT 7

Public Records Request

Rob Lee <rlee@midwestadvocates.org>

Mon 9/13/2021 10:26 AM

To: laurie.ross@wisconsin.gov <laurie.ross@wisconsin.gov>; DNR Records Response <DNRRecordsResponse@wisconsin.gov>

Cc: MEA public records <publicrecords@midwestadvocates.org>

Bcc: Tony Wilkin Gibart <tgibart@midwestadvocates.org>; Peg Sheaffer <PSheaffer@midwestadvocates.org>

Ms. Ross:

This e-mail is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization. MEA hereby requests:

All text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021 and September 13, 2021. For the purposes of this request, text messages include iMessages, SMS (short message service) messages, MMS (multimedia message service) messages, or any other short form electronic communication other than electronic mail. MEA requests all text messages sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means.

Please be aware that the Public Records Law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." Wis. Stat. § 19.31. The law requires a response to this request "as soon as practicable and without delay" and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a)-(b).

MEA respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). MEA is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied and the total cost will exceed \$50, please contact me before processing this request.

I prefer the requested records be provided in electronic format to the extent possible, either sent as a hyperlink to a file sharing platform or as e-mail attachments. If those options are not available, I prefer the records be provided through other electronic means such as a compact disc or USB drive.

Thank you in advance for your assistance. I can be reached by phone at (608) 251-5047 ext. 8, or via email at rlee@midwestadvocates.org (preferred) for any questions or concerns regarding this request.

Best,

Rob Lee

Staff Attorney

Midwest Environmental Advocates

612 W. Main St. Suite 302

Madison, WI 53703

Phone: (608) 251-5047 ext. 8

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RE: 21PRR8867: MEA Smith-Prehn Text Message Request

Walker, Katherine A - DNR <Katherine.Walker@wisconsin.gov>

Thu 9/16/2021 4:38 PM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>; MEA public records <publicrecords@midwestadvocates.org>

 4 attachments (2 MB)

Text #2_Redacted.pdf; Text #3_Redacted.pdf; Text #4_Redacted.pdf; Text #1_Redacted.pdf;

Good afternoon,

I'm writing with an update on your public records request for the following records:

"All text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021 and September 13, 2021. For the purposes of this request, text messages include iMessages, SMS (short message service) messages, MMS (multimedia message service) messages, or any other short form electronic communication other than electronic mail. MEA requests all text messages sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means."

The Wisconsin Department of Natural Resources has concluded its search and located records responsive to your request. The responsive records are attached to this message.

Pursuant to the Wis. Stat. § 19.35(1)(a) balancing test, we redacted the personal phone number of a Natural Resources Board member from the responsive records. In performing the balancing test, we concluded that the public interest in withholding this personally identifiable information outweighs the presumption of full disclosure, and so personally identifiable information has been redacted. Specifically, disclosure of the redacted information would have a chilling effect on future communications with the Department.

At this time, your public records request will now be considered closed. Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov

Pursuant to Wis. Stat. § 19.35(4)(b), these determinations are subject to review by mandamus under Wis. Stat. § 19.37(1) or upon application to a district attorney or the Attorney General.

From: Walker, Katherine A - DNR

Sent: Monday, September 13, 2021 12:40 PM

To: Rob Lee <rlee@midwestadvocates.org>

Cc: DNR Records Response <DNRRecordsResponse@wisconsin.gov>; MEA public records <publicrecords@midwestadvocates.org>

Subject: 21PRR8867: MEA Smith-Prehn Text Message Request

Good afternoon,

I've been assigned to coordinate your public records request for the following records:

“All text messages Natural Resources Board Member Bill Smith sent to or received from Dr. Frederick Prehn, between April 1, 2021 and September 13, 2021. For the purposes of this request, text messages include iMessages, SMS (short message service) messages, MMS (multimedia message service) messages, or any other short form electronic communication other than electronic mail. MEA requests all text messages sent or received on any professional or personal device, such as a cell phone, tablet, personal computer, or smart watch, or through any professional or personal accounts, or through any other means.”

I will contact you if and when any records responsive to your request are located. I will also contact you before processing this request if there will be any fees to locate records, for which the DNR has authority to prebill for public records requests, per Wis. Stat. § 19.35(3)(c). Thank you and please let me know if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Katherine A. Walker

Pronouns: she/her/hers

Department Public Records Coordinator – Bureau of Legal Services

Wisconsin Department of Natural Resources

P.O. Box 7921, Madison, WI 53707

Phone: (608) 266-2177

Katherine.Walker@wisconsin.gov



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