

Exhibit A



Virginia Association of School Superintendents

P.O. Box 68 □ Batesville □ Virginia 22924

Phone (804) 562-4430

March 10, 2022

Superintendent Jillian Balow
Virginia Department of Education
P.O. Box 2120
Richmond, Virginia 23218

On behalf of 133 public school division superintendents, I am writing to thank you and Secretary Aimee Guidera for meeting with the VASS Board of Directors and its officers on Tuesday, March 8, to discuss your 30-day report to Governor Youngkin pertaining to his Executive Order #1.

As a follow-up to our conversation, I wanted to reiterate in writing key points that were shared by division superintendents and provide you a written request of aspirations going forward as to how your office and others can work with division superintendents to establish the collaboration and build the relationships that you and the Secretary both indicated were desired.

Virginia superintendents are the educational leaders who are responsible for legislative compliance, policy implementation, and the assurance of quality educational services delivered to children daily throughout the Commonwealth. School division superintendents, along with their communities, know best their curriculum, personnel, and student services, and they believe that gross assumptions have been made, without evidentiary support, in the development of the 30-day report.

Key Points to the 30-day Report

- Division superintendents and other stakeholder groups should have been consulted prior to the development of the 30-day report.
- Division superintendents disagree with your having rescinded much of the Ed Equity work by the Department of Education. This work had been completed by many quality educators over a number of years to provide support for the success of children in underserved communities and in select population groups.
- Division superintendents disagree with your assumption that discriminatory and divisive concepts have become widespread in Virginia school divisions without your having involved educators in formulating that position or without having provided evidence to support that position.
- Division superintendents disagree with your using “equitable outcomes” as the basis for determining what divisive concepts are and unilaterally suggesting that this approach is discriminatory.
- Virginia’s public education system has consistently ranked as one of the best throughout the country in expectations and in student outcomes.
- Your use of “equitable opportunities” in lieu of “equitable outcomes,” without considering those factors that impact student achievement in underserved communities, can set public education in Virginia back many years. Quality education in Virginia has to be more than providing opportunities and hoping for the best. Virginia’s accountability system relies heavily on student outcomes, not opportunities.

- Division superintendents disagree with the administration’s goal of “restoring excellence” in Virginia’s public schools, since that implies an inaccurate assessment of Virginia’s public education system currently and historically. Again, by most measures, Virginia ranks near the top and surpasses most states throughout the country.

Regarding the 90-day Report

- Establish a working group soon, which includes superintendent representatives from throughout Virginia and superintendents of color, to discuss the process, objectives, and data that will be incorporated in the 90-day report. As the Executive Director of VASS, I will be happy to assist in the facilitation with division superintendents.
- The agenda for this working group must include clarity on the administration’s understanding of equity, opportunity, and access as they relate to serving all children, regardless of where they live.

Moving Forward

- Relevant and ongoing communications with division superintendents is needed. This includes the state leadership participating in VASS Conferences, dedicating at least 2 hours monthly for the State Superintendents Leadership Committee (SSLC), attending regional superintendents’ meetings, and facilitating statewide virtual meetings to share and collect input on current and relevant issues. Sharing a plan in writing at the next SSLC meeting would be helpful.
- Sharing draft VDOE positions/documents with division superintendents, when possible, prior to making those documents public will build trust.
- Mutual respect and understanding of each other’s role in providing quality educational services should serve as the basis for constructive dialogue.
- Parents and educators must collaborate in a positive manner to achieve better outcomes for children. The administration can be a catalyst for positive stakeholder relationships through messages and actions. A tip line for parents to report divisive content to the Governor impedes positive relationships; therefore, the tip line needs to be terminated.

According to previous surveys, Virginia’s parents generally support their local schools. Local education leaders, teachers, and all support personnel work daily with their communities in serving children. Public school division superintendents hope that state leaders will partner with local educators and understand that we are all working for the same customers, students.

Sincerely,



Howard B. Kiser
Executive Director, VASS

pc: Secretary Aimee Guidera
Virginia Board of Education

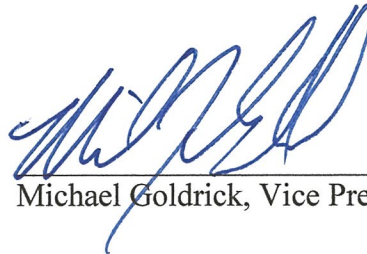
Exhibit B

**AFFIDAVIT OF MICHAEL GOLDRICK IN SUPPORT OF PETITION FOR
INJUNCTIVE AND MANDAMUS RELIEF**

Michael Goldrick, being duly sworn, states under penalty of perjury that the following is true:

1. I am Vice President of News for WRC-TV, a Washington, D.C.-based television station owned by NBCUniversal Media, LLC ("WRC"). I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to WRC, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.



Michael Goldrick, Vice President of News

Sworn to before me this

7 day of March, 2022

Kelly Ancher
NOTARY PUBLIC

District of Columbia
Signed and sworn to (or affirmed) before me
on 3/7/22 by Mike Goldrick
Date Name(s) of individual(s) making Statement
Kelly Ancher
Signature of Notarial Officer
Notary Public, D.C.
Title of Office
My commission expires: 2/14/2026

From: denise.burch@governor.virginia.gov on behalf of FOIA Office, Governor's
<foia@governor.virginia.gov>
Sent: Wednesday, February 2, 2022 5:10 PM
To: Cho, Aimee (NBCUniversal)
Subject: [EXTERNAL] Re: FOIA Request

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch

On Wed, Feb 2, 2022 at 8:31 AM Cho, Aimee (NBCUniversal) <Aimee.Cho@nbcuni.com> wrote:

Hello – just following up. Could you please confirm you have received this request?

Thank you,

Aimee Cho

Reporter

NBC4 Washington

202-697-0853

From: Cho, Aimee (NBCUniversal)
Sent: Wednesday, January 26, 2022 9:36 AM
To: FOIA@governor.virginia.gov
Subject: FOIA Request

Hello,

This is a request under the Freedom of Information Act.

I request that a copy of all emails sent to helpeducation@governor.virginia.gov on January 25, 2022 be provided to me.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

Thank you for your consideration of this request.

Best regards,

Aimee Cho

Reporter

NBC4 Washington

202-697-0853

Exhibit C

**AFFIDAVIT OF NATE JONES IN SUPPORT OF PETITION FOR INJUNCTIVE AND
MANDAMUS RELIEF**

Nate Jones, being duly sworn, states under penalty of perjury that the following is true:

1. I am the FOIA Director at the Washington Post. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to *The Washington Post*, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

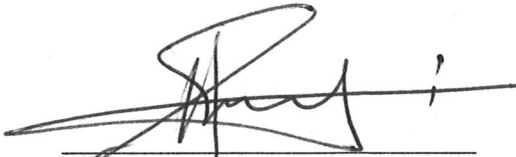
AFFIANT SAYS NOTHING FURTHER.



Signature of Nate Jones

Sworn to before me this

28th day of March, 2022



NOTARY PUBLIC



LONGINUS NDUKUBA
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 14, 2023

From: Burch, Denise <denise.burch@governor.virginia.gov>
Sent: Wednesday, February 2, 2022 5:25 PM
To: Vozzella, Laura <Laura.Vozzella@washpost.com>
Subject: Fwd: Freedom of Information request re: tip line

CAUTION: EXTERNAL SENDER

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch
Executive Assistant to the Counselor to the Governor
Office of Governor Glenn Youngkin
1111 E. Broad Street
Richmond, VA 23219
804-663-7877

----- Forwarded message -----

From: Porter, Macaulay <macaulay.porter@governor.virginia.gov>
Date: Thu, Jan 27, 2022 at 11:45 AM
Subject: Fwd: Freedom of Information request re: tip line
To: Denise Burch <denise.burch@governor.virginia.gov>

----- Forwarded message -----

From: **Vozzella, Laura** <Laura.Vozzella@washpost.com>

Date: Wed, Jan 26, 2022 at 12:41 PM

Subject: Freedom of Information request re: tip line

To: macaulay.porter@governor.virginia.gov <macaulay.porter@governor.virginia.gov>, Becca Glover <becca.glover@governor.virginia.gov>

January 26, 2022

Office of Gov. Glenn Youngkin
Patrick Henry Building
1111 E. Broad St., Richmond, Va. 23219

Re: FOIA request for Helpeducation@governor.virginia.gov submissions

Dear Information Officer:

This is a Virginia Freedom of Information Act request (Va. Code §§ 2.2-3700 to 3714). I make this request on behalf of The Washington Post, a newspaper with circulation in the Commonwealth. I wish to inspect and copy the following records:

Any and all submissions to the Helpeducation@governor.virginia.gov address from its inception through the close of business today.

If you regard any of the requested records as subject to exemption from required disclosure, the Act gives you discretion to disclose them nonetheless (except where such disclosure is prohibited by law), and I hereby request that you do so. If you decide that the requested records will be withheld in whole or in part, the Act requires that you provide a written response that identifies with reasonable particularity the subject matter of the withheld records or portions thereof (and the volume when the records are entirely withheld), as well as the specific Code section that authorizes withholding part or all of the requested records. Further, the Act requires that when a requested record will be produced in part, you must delete or excise only that portion of the record to which a claimed exemption applies and release the remainder of the record.

I further request that you disclose the listed documents, as they become available to you, without waiting until all the documents have been assembled.

I recognize that a public body “may” make reasonable charges for its actual cost to comply with the request, and that the Act has no provision explicitly authorizing fee waivers. Nevertheless, the records disclosed pursuant to this request will be used in the preparation of news articles for dissemination to the public. Accordingly, I request that you waive all fees in the public interest because the furnishing of the information sought by this request will primarily benefit the public and is likely to contribute significantly to public understanding of the operations or activities of the

government. I am prepared to pay statutory fees, but request that you provide me with a cost estimate in advance if you expect these fees to exceed \$100.

I look forward to your response within five (5) working days as required by law. If you have any questions about this request, please do not hesitate to email me at laura.vozella@washpost.com or call at 202-578-4255.

Sincerely,

Laura Vozzella

From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Date: Friday, March 25, 2022 at 2:54 PM
To: Natanson, Hannah <Hannah.Natanson@washpost.com>
Subject: Re: FOIA Request

CAUTION: EXTERNAL SENDER

In response to your FOIA request of March 18, 2022, we have identified and are producing as responsive the attached documents.

One document is being withheld as working papers and correspondence of the Governor's Office.

Denise Burch

On Fri, Mar 18, 2022 at 11:48 AM Natanson, Hannah <Hannah.Natanson@washpost.com> wrote:

March 18, 2022

Glenn Youngkin, Governor of Virginia
P.O. Box 1475
Richmond, VA 23218

Re: FOIA REQUEST FOR EMAILS

Dear Information Officer:

This is a Virginia Freedom of Information Act request (Va. Code §§ 2.2-3700 to 3714). I make this request on behalf of The Washington Post, a newspaper with circulation in the Commonwealth. I wish to inspect and copy the following records:

All emails sent from any email account in the governor's office to any email address ending in “@aei.org” from January 15, 2022 until the date this request is processed.

□

If you regard any of the requested records as subject to exemption from required disclosure, the Act gives you discretion to disclose them nonetheless (except where such disclosure is prohibited by law), and I hereby request that you do so. If you decide that the requested records will be withheld in whole or in part, the Act requires that you provide a written response that identifies

with reasonable particularity the subject matter of the withheld records or portions thereof (and the volume when the records are entirely withheld), as well as the specific Code section that authorizes withholding part or all of the requested records. Further, the Act requires that when a requested record will be produced in part, you must delete or excise only that portion of the record to which a claimed exemption applies and release the remainder of the record.

I further request that you disclose the listed documents, as they become available to you, without waiting until all the documents have been assembled.

I recognize that a public body “may” make reasonable charges for its actual cost to comply with the request, and that the Act has no provision explicitly authorizing fee waivers. Nevertheless, the records disclosed pursuant to this request will be used in the preparation of news articles for dissemination to the public. Accordingly, I request that you waive all fees in the public interest because the furnishing of the information sought by this request will primarily benefit the public and is likely to contribute significantly to public understanding of the operations or activities of the government. I am prepared to pay statutory fees, but request that you provide me with a cost estimate in advance if you expect these fees to exceed \$100.

I look forward to your response within five (5) working days as required by law. If you have any questions about this request, please do not hesitate to email me at hannah.natanson@washpost.com.

Sincerely,
Hannah Natanson

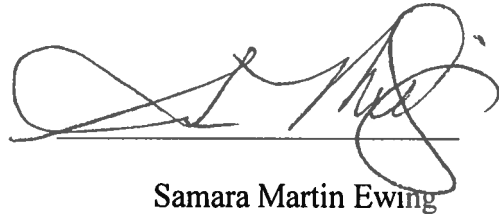
Exhibit D

**AFFIDAVIT OF SAMARA MARTIN EWING IN SUPPORT OF PETITION FOR
INJUNCTIVE AND MANDAMUS RELIEF**

Samara Martin Ewing, being duly sworn, states under penalty of perjury that the following is true:

1. I am the Executive Producer for Special Projects and Big Event News Coverage at WUSA-TV, Inc. ("WUSA"). I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to WUSA, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

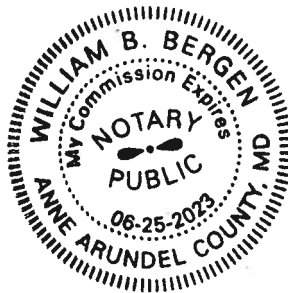
AFFIANT SAYS NOTHING FURTHER.


Samara Martin Ewing

Sworn to before me this

13th day of MARCH, 2022


NOTARY PUBLIC



From: "FOIA Office, Governor's" <foia@governor.virginia.gov>
Date: February 2, 2022 at 5:18:43 PM EST

To: "Satterfield, Kolbie" <KSatterfie@wusa9.com>

Subject: Re: FOIA Request

CAUTION - EXTERNAL EMAIL - Please use caution opening attachments and never share your password.
Send suspicious email to infosec@tegna.com.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch

On Thu, Jan 27, 2022 at 11:35 PM Satterfield, Kolbie <KSatterfie@wusa9.com> wrote:

Kolbie Satterfield
January 27, 2022
4100 Wisconsin Avenue
Washington DC, 20016

Dear Commonwealth of Virginia FOIA Coordinators,
Under the Freedom of Information Act, I am requesting an opportunity to obtain a copy of the following reports:

- All emails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled

Please release these records individually as they are available.

Please provide in Excel format.

If there are any fees for searching or copying these records, please inform me what the related costs will be. However, I would also like to request a waiver of all fees because the disclosure of the requested information is in the public interest.

The Freedom Public Information Act requires a response time within 10 business days, and then a delivery of the requested materials within 30 days. If access to the records I am requesting will take longer than this amount of time, please contact me as soon as possible.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Kolbie Satterfield | Reporter

4100 Wisconsin Ave NW | Washington, DC 20016

| C 202-557-9229 | ksatterfield@wusa9.com | [@kolbiereports](https://twitter.com/kolbiereports)

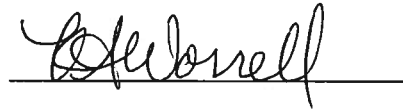
Exhibit E

**AFFIDAVIT OF KRIS WORRELL IN SUPPORT OF PETITION FOR INJUNCTIVE
AND MANDAMUS RELIEF**

Kris Worrell, being duly sworn, states under penalty of perjury that the following is true:

1. I am Editor-in-Chief / *The Virginian-Pilot*. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to *The Virginian-Pilot*, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

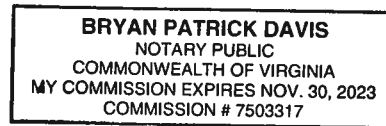
AFFIANT SAYS NOTHING FURTHER.



Kris Worrell

Sworn to before me this

16 day of March, 2022



NOTARY PUBLIC

From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Wednesday, February 2, 2022 5:11 PM
To: Jenkins, Sierra <sierra.jenkins@virginiamedia.com>
Subject: Re: FOIA request

Caution: External Sender

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch

On Thu, Jan 27, 2022 at 8:00 AM Jenkins, Sierra <sierra.jenkins@virginiamedia.com> wrote:

Hello,

Under the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700 and following, I'm requesting electronic copies of emails and attachments, including but not limited to voicemails, sent to helpeducation@governor.virginia.gov from Jan. 21 to Jan. 22, 2022.

If you determine that only portions of a file are exempted from release, I request that I be provided with all non-exempt portions or redacted versions. I reserve my right to object to any withholding or deletion of information.

Please provide an estimate of costs prior to meeting my request.

If you have any questions concerning this request, please call me at 757-339-0071 or email sierra.jenkins@virginiamedia.com.

I look forward to your response by Feb. 3 as provided by the Act.

Sincerely,
Sierra Jenkins
Reporter | Virginia Media: The Virginian-Pilot, Daily Press
(w) 229-462-8896


Exhibit F

**AFFIDAVIT OF RYAN MILLER IN SUPPORT OF PETITION
FOR INJUNCTIVE AND MANDAMUS RELIEF**

Ryan Miller, being duly sworn, states under penalty of perjury that the following is true:

1. I am a reporter for USA TODAY. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to USA TODAY, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.



Ryan Miller

Sworn to before me this

7 day of MARCH, 2022



NOTARY PUBLIC

EWA MARYNIAK
Notary Public - State of New York
No. 01MA6169066
Qualified in Kings County
My Commission Expires June 18, 2023

Miller, Ryan

From: denise.burch@governor.virginia.gov on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Wednesday, February 2, 2022 5:17 PM
To: Miller, Ryan
Subject: Re: FOIA Request -- USA TODAY

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch

On Thu, Jan 27, 2022 at 1:50 PM Miller, Ryan <rwmiller@usatoday.com> wrote:

Hi,

Hope this email finds you well.

Please see the attached PDF for my FOIA request. In summary, the request is seeking:

- Any and all emails or other records, including but not limited to any attachments and responses to the emails, sent to and sent by "helpeducation@governor.virginia.gov" from the time period of the email address being created by the Virginia governor's office to the completion of this public records request.

Please note I am requesting a fee waiver for this request as well as the information is being sought on behalf of USA TODAY for dissemination to the general public.

Please feel free to contact me via phone or email with any questions that may arise as you are completing this request.

Thanks,

Ryan Miller

Reporter, USA TODAY

Cell: (443) 990-1164

Twitter: [@RyanW_Miller](https://twitter.com/RyanW_Miller)



Via electronic mail

Jan. 27, 2022

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219
FOIA@governor.virginia.gov

Dear FOIA Coordinator,

Under the Virginia Freedom of Information Act, §2.2-3704 et seq., I request access to and copies of the following documents:

- Any and all emails or other records, including but not limited to any attachments and responses to the emails, sent to and sent by "helpeducation@governor.virginia.gov" from the time period of the email address being created by the Virginia governor's office to the completion of this public records request.

In order to expedite processing of this request, please note that this request is **NOT** seeking any personally identifiable information that may be included in these records, including the email addresses of the senders or their names.

I would like to receive the information in electronic format. If all of the requested records cannot be emailed to me, please inform me by email of the portions that can be emailed and advise me of the cost for reproducing the remainder of the records requested.

If my request is too broad or does not reasonably describe the records, please contact me via phone or email so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated.

This information is being sought on behalf of USA TODAY for dissemination to the general public and is not being sought for commercial purposes. Accordingly, I would like to request a waiver of all fees, given the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of education policy and recent concerns surrounding the teaching of race and diversity in Virginia's classrooms.

If there are any fees for searching or copying these records, please inform me of these costs.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.



The Virginia Freedom of Information Act requires a response to this request be made within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by email or telephone at (443) 990-1164, rather than by mail, if you have questions regarding this request.

Thank you for your assistance.

Sincerely,

Ryan Miller
Reporter, USA TODAY
rwmler@usatoday.com
(443) 990-1164

Exhibit G

**AFFIDAVIT OF DAVID COVUCCI IN SUPPORT OF PETITION FOR INJUNCTIVE
AND MANDAMUS RELIEF**

David Covucci, being duly sworn, states under penalty of perjury that the following is true:

1. I am the Senior Politics and Technology Editor at the Daily Dot. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to the Daily Dot, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.



David Covucci

Sworn to before me this

11 day of March, 2022



NOTARY PUBLIC

MARGARET MCNALLY
Notary Public, State of New York
No. 01MC4961974
Qualified in Orange County
Commission Expires February 12, 2026

FIOA Request Inbox x



Louise Macaraniag <louisemacaraniag@gmail.com>

Thu, Jan 27, 12:01 PM



to FOIA ▾

To whom it may concern,

My name is Louise Macaraniag, and I am reporting for the online news publication, The Daily Dot. We focus our stories on Internet culture and technology.

Recently, **Virginia Governor** Glenn Youngkin set up a tip line to report schools and teachers who teach about critical race theory. Since then, there's been tremendous coverage of the hotline.

Pursuant of the **Virginia** Freedom of Information Act, §2.2-3704 et seq., I am requesting an opportunity to inspect or obtain all emails sent to helpeducation@governor.virginia.gov from January 20th to the 27th.

The **Virginia** Freedom of Information Act requires a response to this request be made within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

Sincerely,



FOIA Office, Governor's (sent by denise.burch@governor.virginia.gov)

Feb 3, 2022, 2:41 PM



to me ▾

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch



Exhibit H

**AFFIDAVIT OF SARAH RANKIN IN SUPPORT OF
PETITION FOR INJUNCTIVE AND MANDAMUS
RELIEF**

Sarah Rankin, being duly sworn, states under penalty of perjury that the following is true:

1. I am an Associated Press reporter. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to the AP, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.

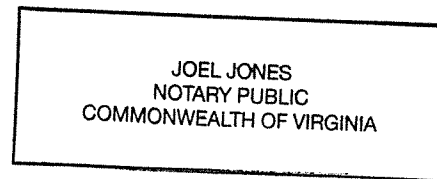
Sarah Rankin

Sworn to before me this

16th day of March, 2022



NOTARY PUBLIC



From: denise.burch@governor.virginia.gov on behalf of FOIA Office, Governor's
<foia@governor.virginia.gov>
Sent: Wednesday, February 2, 2022 5:20 PM
To: Rankin, Sarah
Subject: Re: FOIA Request from AP

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL]

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

Denise Burch

On Tue, Feb 1, 2022 at 9:50 AM Rankin, Sarah <SRankin@ap.org> wrote:

By email, Feb. 1, 2022

Good morning,

This is a request under the Virginia Freedom of Information Act and under the common law right of access. I am making this request in my capacity as a full-time, Richmond-based journalist with The Associated Press.

Pursuant to the Act, I am requesting the following: copies of all emails sent to helpeducation@governor.virginia.gov. This request is limited to Jan. 24 to the day it is fulfilled.

I would like to receive the information electronically if possible. I also ask that you waive any and all fees associated with this request. If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50.

Please let me know if you have any questions. I'm reachable by email or at the number below. Thank you in advance for your assistance.

AP



Sarah Rankin

reporter

10 E. Franklin St.

Richmond, VA 23219

T 804.436.6609

srankin@ap.org
apnews.com

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Exhibit I


**AFFIDAVIT OF CHERYL CARSON IN SUPPORT OF PETITION FOR INJUNCTIVE
AND MANDAMUS RELIEF**

Cheryl Carson, being duly sworn, states under penalty of perjury that the following is true:

1. I am News Director at Sinclair Television Stations, LLC / WJLA. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to WJLA, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.

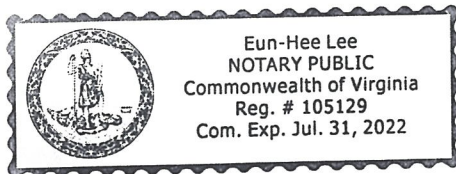
County of Arlington:
Commonwealth of Virginia:


Cheryl Carson

Sworn to before me this

21st day of March, 2022


NOTARY PUBLIC



From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Tuesday, February 15, 2022 4:33:51 PM
To: Nick Minock <njminock@sbgvtv.com>
Subject: [EXT] Re: FOIA Request WJLA-TV

CAUTION: This email originated from outside of Sinclair. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your FOIA request.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Wed, Feb 9, 2022 at 4:50 PM Nick Minock <njminock@sbgvtv.com> wrote:

February 9, 2022

Re: Freedom of Information Act Request

To whom it may concern, this is a request under the Freedom of Information Act.

On behalf of WJLA-TV, I request all written communication received and sent to” helpeducation@governor.virginia.gov” between January 15, 2022 to February 9, 2022 and all communication sent by this email address during the same time period.

In order to help determine my status to assess fees, you should know that I am a representative of the news media affiliated with the WJLA-TV and this request is made as part of news gathering and not for commercial use.

WJLA-TV is willing to pay fees for this request up to a maximum of \$25. If you estimate that the fees will exceed this limit, please inform me first.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of government agencies.

Thank you for your consideration of this request.

Sincerely,

Nick Minock

1100 Wilson Blvd.

Arlington, VA 22209

571-289-9387

Nick Minock

Reporter, WJLA Television

1100 Wilson Blvd

Arlington, VA 22209

Cell: 571-289-9387

Email: njminock@SBGTV.com

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Exhibit J

**AFFIDAVIT OF QIAN GAO IN SUPPORT OF PETITION FOR INJUNCTIVE AND
MANDAMUS RELIEF**

Qian Gao, being duly sworn, states under penalty of perjury that the following is true:

1. I am General Counsel at Axios Media, Inc. (“Axios”). I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to Axios, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.



Qian Gao

Sworn to before me this

10th day of MARCH, 2022



NOTARY PUBLIC

ANN D. KISS
Notary Public, State of New York
No. 01K14865764
Qualified in Nassau County
Commission Expires July 14, 2022

From: **FOIA Office, Governor's** <foia@governor.virginia.gov>
Date: Wed, Mar 2, 2022 at 2:37 PM
Subject: Re: FOIA request
To: Chelsea Cirruzzo <chelsea.cirruzzo@axios.com>

Thank you for resending the attachment.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Wed, Mar 2, 2022 at 12:28 PM Chelsea Cirruzzo <chelsea.cirruzzo@axios.com> wrote:

Hi there,

Wondering if this has been received and if there's any response I could get.

Thank you!
Chelsea

On Thu, Feb 24, 2022 at 2:02 PM Chelsea Cirruzzo <chelsea.cirruzzo@axios.com> wrote:

Hi Denise,

I've reattached it. Does this work?

Thanks,
Chelsea

On Thu, Feb 24, 2022 at 2:00 PM FOIA Office, Governor's <foia@governor.virginia.gov> wrote:
Thank you for your email of February 17, 2022.

The attachment containing the FOIA request was not successfully transmitted. As a consequence we find it necessary to invoke the seven day extension provision, and ask you to resend the attachment.

Denise Burch

On Thu, Feb 17, 2022 at 12:21 PM Chelsea Cirruzzo <chelsea.cirruzzo@axios.com> wrote:
Good afternoon,

I am attaching a FOIA request for your office.

Thank you so much and please let me know if you need anything else,

--

Chelsea Cirruzzo
Local news reporter, Axios D.C.

chelsea.cirruzzo@axios.com
631.759.1256.

Pronouns: she/her

AXIOS

 Get the news that matters in just 10 minutes with Axios Today & Axios Re:Cap podcasts - [Subscribe!](#)

<<< Attachments were removed because of an administrator policy. >>>

--

Chelsea Cirruzzo
Local news reporter, Axios D.C.

chelsea.cirruzzo@axios.com
631.759.1256.

Pronouns: she/her

AXIOS

 Get the news that matters in just 10 minutes with Axios Today & Axios Re:Cap podcasts - [Subscribe!](#)

--

Chelsea Cirruzzo

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219
FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 *et seq.*, we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records "shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses" enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,
Chelsea Cirruzzo
Axios, Reporter
Chelsea.cirruzzo@axios.com

Exhibit K

**AFFIDAVIT OF MICAH RATNER IN SUPPORT OF PETITION FOR INJUNCTIVE
AND MANDAMUS RELIEF**

Micah Ratner, being duly sworn, states under penalty of perjury that the following is true:

1. I am Assistant General Counsel at National Public Radio, Inc. ("NPR"). I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to NPR, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.

Micah Ratner



Micah Ratner

Sworn to before me this
22nd day of March, 2022



Deirdre M. Ferrick



NOTARY PUBLIC

Online Notary Public. This notarial act involved the use of online audio/video communication technology.

From: denise.burch@governor.virginia.gov on behalf of FOIA Office, Governor's
<foia@governor.virginia.gov>
Sent: Wednesday, March 2, 2022 2:41 PM
To: Jingnan Huo
Subject: Re: FOIA Request

Thank you for resending the attachment.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Thu, Feb 24, 2022 at 2:21 PM Jingnan Huo <JHuo@npr.org> wrote:

Hello Denise,

I'm reattaching the request and also pasting the content below.

February 18, 2022

VIA E-MAIL TO FOIA@GOVERNOR.VIRGINIA.GOV

Office of the Governor

Patrick Henry Building

1111 East Broad Street

Richmond, Virginia 23219

Re: Governor Youngkin's tip line

To whom it may concern:

Under the Virginia Freedom of Information Act, Va. Code Ann. § 2.2-3700 et seq., I request as a reporter for National Public Radio, Inc. (NPR), on behalf of myself and NPR, that the Office of the Governor provide us the following records:

Copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled. Please provide the records in a machine-readable format.

As you know, the Virginia Freedom of Information Act provides that if portions of a document are excluded from disclosure, the remainder must be segregated and disclosed. Therefore, please send me all portions of the records I have requested that are not covered by exclusions and justify any deletions by reference to specific provisions of the FOIA. Va. Code Ann. § 2.2-3704(B). I reserve the right to challenge your decision to withhold any materials.

I ask that you waive all fees associated with this FOIA request. I am a member of the news media and I am not seeking this information for commercial purposes. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. If you choose to impose fees, however, and the fees will exceed \$200, please notify me of the charges before you fulfill my request so that I may decide whether to pay the fees or amend my request.

I submit this request in my capacity as a journalist, and this information is time-sensitive. Accordingly, I would appreciate your communicating with me by telephone (202)-525-7429, or email (jhuo@npr.org), if you have any questions regarding this request. You can also communicate with anyone in NPR's Legal Department, including Micah Ratner (mratner@npr.org) or Jeff Guo (jguo@npr.org).

I look forward to receiving your reply within five (5) working days, as required by Virginia law. Va. Code Ann. § 2.2-3704(B).

Thank you for your anticipated cooperation with this FOIA request.

Sincerely,

Huo Jingnan
Arlington, VA

From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> **On Behalf Of** FOIA Office, Governor's

Sent: Thursday, February 24, 2022 2:18 PM

To: Jingnan Huo <JHuo@npr.org>

Subject: Re: FOIA Request

Thank you for your email of February 18, 2022.

The attachment containing the FOIA request was not successfully transmitted. As a consequence we find it necessary to invoke the seven day extension provision, and ask you to resend the attachment.

Denise Burch

On Fri, Feb 18, 2022 at 4:06 PM Jingnan Huo <JHuo@npr.org> wrote:

Hello,

Please find the FOIA request attached.

Sincerely,

Jingnan

n p r Huo Jingnan | [name pronunciation](#) | she/her | NPR News | call 202.513.2664 text 202.525.7429

<<< Attachments were removed because of an administrator policy. >>>



February 18, 2022

VIA E-MAIL TO FOIA@GOVERNOR.VIRGINIA.GOV

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219

Re: Governor Youngkin's tip line

To whom it may concern:

Under the Virginia Freedom of Information Act, Va. Code Ann. § 2.2-3700 et seq., I request as a reporter for National Public Radio, Inc. (NPR), on behalf of myself and NPR, that the Office of the Governor provide us the following records:

Copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled. Please provide the records in a machine-readable format.

As you know, the Virginia Freedom of Information Act provides that if portions of a document are excluded from disclosure, the remainder must be segregated and disclosed. Therefore, please send me all portions of the records I have requested that are not covered by exclusions and justify any deletions by reference to specific provisions of the FOIA. Va. Code Ann. § 2.2-3704(B). I reserve the right to challenge your decision to withhold any materials.

I ask that you waive all fees associated with this FOIA request. I am a member of the news media and I am not seeking this information for commercial purposes. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. If you choose to impose fees, however, and the fees will exceed \$200, please notify me of the charges before you fulfill my request so that I may decide whether to pay the fees or amend my request.

I submit this request in my capacity as a journalist, and this information is time-sensitive. Accordingly, I would appreciate your communicating with me by telephone (202)-525-7429, or email (jhuo@npr.org), if you have any questions regarding this request. You can also communicate with anyone in NPR's Legal Department, including Micah Ratner (mratner@npr.org) or Jeff Guo (jguo@npr.org).

I look forward to receiving your reply within five (5) working days, as required by Virginia law. Va. Code Ann. § 2.2-3704(B).

Thank you for your anticipated cooperation with this FOIA request.

Sincerely,

Huo Jingnan
Arlington, VA

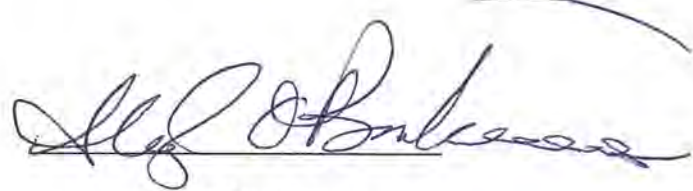
Exhibit L

**AFFIDAVIT OF SHERYL BARNHOUSE IN SUPPORT OF PETITION FOR
INJUNCTIVE AND MANDAMUS RELIEF**

Sheryl Barnhouse, being duly sworn, states under penalty of perjury that the following is true:

1. I am the News Director at WTVR-TV in Richmond, Virginia. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertaining to WTVR, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

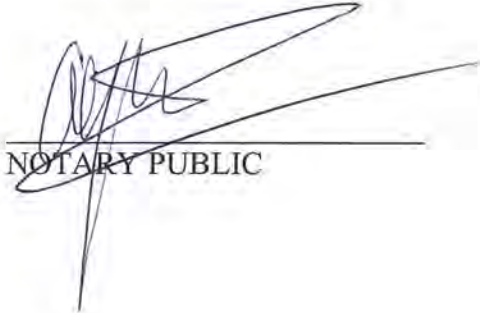
AFFIANT SAYS NOTHING FURTHER.



Sheryl Barnhouse

Sworn to before me this

11 day of March, 2022



NOTARY PUBLIC



From: "FOIA Office, Governor's" <foia@governor.virginia.gov>
Date: February 24, 2022 at 2:31:33 PM EST
To: "Hipolit, Melissa" <Melissa.Hipolit@wtvr.com>
Subject: Re: FOIA Request from WTVR: Please replace the previous request with this one-thanks!

[EXTERNAL SENDER]

Thank you for your FOIA request of February 21, 2022, replacing your initial FOIA request of February 18, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Mon, Feb 21, 2022 at 10:53 AM Hipolit, Melissa
<Melissa.Hipolit@wtvr.com> wrote:

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219
FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 et seq., we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records “shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses” enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

Melissa Hipolit

WTVR-TV

804-396-0306

Scripps Media, Inc., certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity. All advertising sales agreements contain nondiscrimination clauses.


Exhibit M

**AFFIDAVIT OF MATTHEW PHILIPS IN SUPPORT OF PETITION FOR
INJUNCTIVE AND MANDAMUS RELIEF**

Matthew Philips, being duly sworn, states under penalty of perjury that the following is true:

1. I am an Assistant Managing Editor for CNN. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertain to CNN, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.


Matthew Philips

Sworn to before me this

14 day of March 2022


NOTARY PUBLIC

KATEARA CYPRESS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires September 30, 2026

From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Date: Monday, February 28, 2022 at 3:43 PM
To: Philips, Matthew <matthew.philips@warnermedia.com>
Subject: Re: CNN FOIA request

EXTERNAL SENDER: Caution opening links or attachments

Thank you for your FOIA request of February 23, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Wed, Feb 23, 2022 at 11:11 AM Philips, Matthew <matthew.philips@warnermedia.com> wrote:

Please see attached FOIA request from CNN.

Thank you,

Matthew Philips



Matthew Philips
Assistant Managing Editor
DC Bureau
Matthew.philips@warnermedia.com
820 First St NE Washington, DC 20002

February 23, 2022

Via Email to FOIA@governor.virginia.gov

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 et seq., CNN requests copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records "shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses" enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request. Please direct all correspondence regarding this request to matthew.philips@warnermedia.com.

Best regards,

/s/Matthew Philips

Matthew Philips
Assistant Managing Editor, CNN

CC: Drew Shenkman, Assistant General Counsel, CNN

Exhibit N

**AFFIDAVIT OF CLAIRE MAGEE FERGUSON IN SUPPORT OF PETITION FOR
INJUNCTIVE AND MANDAMUS RELIEF**

Claire Magee Ferguson, being duly sworn, states under penalty of perjury that the following is true:

1. I am the Assistant General Counsel to Gray Media Group, Inc. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertaining to WDBJ, WHSV, WVIR, and WVVA, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.



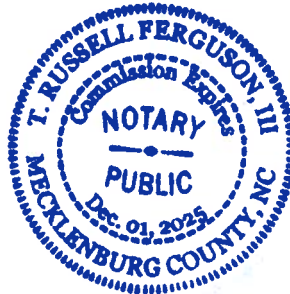
Claire Magee Ferguson

Sworn to before me this

17th day of March, 2022



NOTARY PUBLIC





From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> **On Behalf Of** FOIA Office, Governor's
Sent: Monday, February 28, 2022 3:45 PM
To: Eric Walters <eric.walters@wdbj7.com>
Subject: Re: FOIA Request

Thank you for your FOIA request of February 23, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Wed, Feb 23, 2022 at 3:05 PM Eric Walters <eric.walters@wdbj7.com> wrote:

Commonwealth of Virginia FOIA Coordinators:

Please find the attached FOIA request.

Best,

Eric T. Walters

News Director

540-777-3248 Office



Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219
FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 *et seq.*, we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records "shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses" enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

Eric Walters
News Director
WDBJ7
2807 Hershberger Road
Roanoke, VA 24017

Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219
FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 *et seq.*, we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records "shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses" enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

A handwritten signature in black ink, appearing to read 'Kyle Rogers', with a long horizontal line extending to the right.

Kyle Rogers
Assistant News Director, WHSV-TV
50 N. Main Street
Harrisonburg, Va. 22802



COMMONWEALTH of VIRGINIA

Office of the Governor

P.O. Box 1475
Richmond, Virginia 23218

March 7, 2022

Mr. Kyle Rogers
WHSV-TV
50 North Main Street
Harrisonburg, Virginia 22801

Dear Mr. Rogers:

Thank you for your FOIA request which we received on March 1, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor. The documents in question are on a sizeable gmail account which changes daily.

Sincerely,

A handwritten signature in cursive script that reads "Denise Burch".

Denise Burch
FOIA Officer

From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> **On Behalf Of** FOIA Office, Governor's
Sent: Thursday, March 10, 2022 2:41 PM
To: Wesley Armstead <WArmstead@wvva.com>
Subject: Re: Youngkin FOIA - ACTION REQUIRED

Thank you for your FOIA request of March 3, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Thu, Mar 3, 2022 at 12:06 PM Wesley Armstead <WArmstead@wvva.com> wrote:

Office of the Governor

Patrick Henry Building

1111 East Broad Street

Richmond, Virginia 23219

FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia's Freedom of Information Act ("FOIA"), Va. Code Ann. § 2.2-3700 *et seq.*, we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records "shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses" enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

Wesley Armstead

News Director

WVVA Television, Inc.

304-324-0677 (direct)

304-539-3875 (cell)

304-327-5586 (fax)



From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Monday, March 14, 2022 11:28 AM
To: Elizabeth Holmes <Elizabeth.Holmes@nbc29.com>
Subject: Re: NBC29: FOIA Request

Thank you for your FOIA request of March 7, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Mon, Mar 7, 2022 at 3:16 PM Elizabeth Holmes <Elizabeth.Holmes@nbc29.com> wrote:

Office of the Governor

Patrick Henry Building

1111 East Broad Street

Richmond, Virginia 23219 FOIA@governor.virginia.gov

Commonwealth of Virginia FOIA Coordinators:

Pursuant to Virginia’s Freedom of Information Act (“FOIA”), Va. Code Ann. § 2.2-3700 et seq., we are requesting copies of all e-mails sent to helpeducation@governor.virginia.gov from January 14, 2022 to the date this request is fulfilled.

FOIA provides that the custodian of the records “shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses” enumerated by the statute. Va. Code Ann. § 2.2-3704(B).

We ask, pursuant to Va. Code Ann. § 2.2-3704(F), that you advise us of the charges, if any, you anticipate assessing for fulfillment of this request. And, pursuant to Va. Code Ann. § 2.2-3704(B), we ask that, if you elect to entirely or partially withhold the records sought, you specify the legal grounds upon which that withholding is based.

Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

Exhibit O

**AFFIDAVIT OF GERARDO LOPEZ IN SUPPORT OF PETITION FOR INJUNCTIVE
AND MANDAMUS RELIEF**

Gerardo Lopez, being duly sworn, states under penalty of perjury that the following is true:

1. I am News Director of WTKR-TV and WGNT-TV. I make this affidavit to show good cause pursuant to Va. Code Ann. § 2.2-3713(A).
2. I have read the attached Petition and know its contents.
3. The statements in the Petition, as pertaining to WGNT and WTKR, are true to my own knowledge or upon information and belief. As to those statements that are based upon information and belief, I believe those statements to be true.

AFFIANT SAYS NOTHING FURTHER.

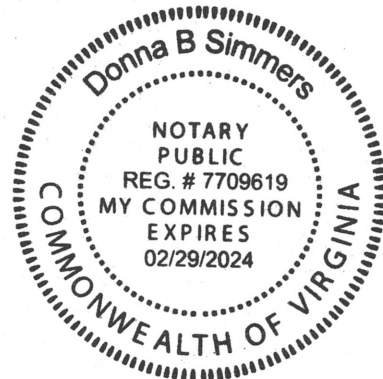


Gerardo Lopez

Sworn to before me this

8th day of March, 2022


NOTARY PUBLIC



From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Monday, February 28, 2022 3:53 PM
To: Dietz, Kelly <Kelly.Dietz@WTKR.com>
Subject: Re: WTKR FOIA Request

[EXTERNAL SENDER]

Thank you for your FOIA request of February 24, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

The documents in question are on a sizeable gmail account which changes daily.

Denise Burch

On Thu, Feb 24, 2022 at 12:48 PM Dietz, Kelly <Kelly.Dietz@wtkr.com> wrote:

Office of the Governor

Patrick Henry Building

1111 East Broad Street

Richmond, Virginia 23219 FOIA@governor.virginia.gov

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Finally, we request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

We look forward to your prompt reply to this request.

Best regards,

WTKR News 3

Kelly Dietz

WTKR | WGNT

720 Boush Street | Norfolk, Va. 23510

Cell: (757) 536-4446

Desk: (757) 446-1370

kelly.dietz@wtkr.com

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From: denise.burch@governor.virginia.gov <denise.burch@governor.virginia.gov> on behalf of FOIA Office, Governor's <foia@governor.virginia.gov>
Sent: Monday, February 28, 2022 3:52 PM
To: Dietz, Kelly <Kelly.Dietz@WTKR.com>
Subject: Re: WGNT FOIA Request

[EXTERNAL SENDER]

Thank you for your FOIA request of February 24, 2022.

The requested records are being entirely withheld pursuant to Section 2.2-3705.7 as working papers and correspondence of the Office of the Governor.

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We look forward to your prompt reply to this request.

Best regards,

WGNT News 3

Kelly Dietz

Investigative Producer

WTKR | WGNT

720 Boush Street | Norfolk, Va. 23510

Cell: (757) 536-4446

Desk: (757) 446-1370

kelly.dietz@wtkr.com