

State of Nebraska Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
www.nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
Fax (402) 471-6599

RESPONSE TO PUBLIC RECORDS REQUEST-Part III

Your request for access to records of this agency has been denied in part.

YOUR NAME: Jack Gould

YOUR ADDRESS: jackgould84@gmail.com

DATE OF YOUR REQUEST: November 16, 2022

YOUR DESCRIPTION OF RECORDS SOUGHT:

1. All records and communications between the Commission and Senators Tom Brewer, Ben Hansen, Anna Wishart, Justin Wayne, and David Murman from January 2020 to the present. This should include all C-1s, amended C-1s and letters both written and electronic.
2. Any communications between the Commission and Standard Process.

Agency Response:

The following records are provided in partial response to your request. This is the third partial response to your request. These records are attached to the email transmitting this response:

Brewer C-1 for 2019

Hansen C-1 for 2019

Murman C-1 for 2019
Murman Amended C-1 for 2019

Wayne C-1 for 2019
Wayne Amended C-1 for 2019

Wishart C-1 for 2019

OTHER: Correspondence not previously provided, other records and emails, if any, will be provided on or before December 15, 2022. There will be no charge to you. The records

to be provided do not include filings by and communications with the candidate committees of the five State Senators noted in your request. These appear to be outside the parameters of your request. If you wish to receive copies of this category of public records, please advise and they will be provided.

DESCRIPTION OF CONTENTS OF RECORDS WITHHELD: The records associated with Case #22-19 are being withheld. These include a complaint, notices and an investigative report.

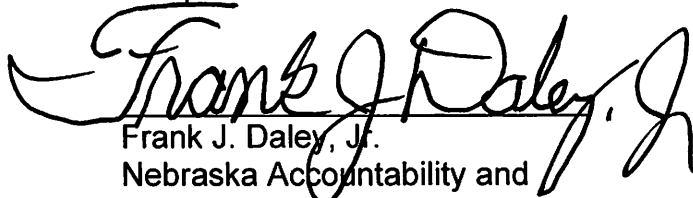
REASON FOR DENIAL OF ACCESS (include statutory citations): The records withheld are subject to the confidentiality provisions of the Nebraska Political Accountability and Disclosure Act. See §49-14,124.01; §49-14,125 and §49-14,115. In addition, the records sought fall within the exceptions found in §84-712.05(5).

NAME OF OFFICIAL OR EMPLOYEE DENYING REQUEST: Frank J. Daley, Jr., Executive Director, Nebraska Accountability and Disclosure Commission. Address and telephone number below.

NAME OF OFFICIAL OR EMPLOYEE RESPONDING: Frank Daley, Executive Director, Nebraska Accountability and Disclosure Commission.

Nebraska Law provides certain remedies to persons denied access to records. These remedies are set forth below.

Date: November 30th, 2022



Frank J. Daley, Jr.
Nebraska Accountability and
Disclosure Commission
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

REMEDIES AVAILABLE TO PERSONS DENIED ACCESS TO RECORDS

If you have been denied access to the records of the Nebraska Accountability and Disclosure Commission, the following remedies are available to you:

1. You may, in writing, request a formal hearing before the full Commission on the matter.
2. You may file an action for a Writ of Mandamus in the District Court of Lancaster County.

3. You may petition the Nebraska Attorney General to review the records to determine whether they may be withheld from public inspection. This determination must be made by the Attorney General within 15 days after the submission of the petition. If the Attorney General determines that the records may not be withheld, the public body shall be ordered to disclose the records immediately.
4. If the public body continues to withhold the records, you may:
 - a) Bring suit in the District Court of Lancaster County; or
 - b) Demand in writing that the Attorney General bring suit in the name of the State in the District Court of Lancaster County. You have a right to intervene as a full party in the suit at any time.

In any case in which an individual seeking access to records has substantially prevailed, the court may assess reasonable attorneys fees and other litigation costs reasonably incurred by the individual against the Nebraska Accountability and Disclosure Commission. The foregoing is based upon the provisions of §84-712 et seq. of the Nebraska Statutes.