

For Immediate Release:

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202-810-2001

E&E Legal Forced to Sue California Attorney General for Failure to Release Public Records Already Shared with Green Activists Involving Their Inappropriate Lobbying Practices

Sacramento, CA – The Energy & Environment Legal Institute (E&E Legal) has filed suit under California's Public Records Act (PRA) against the state's Attorney General Xavier Becerra for withholding all but one email showing or mentioning its work with partisan and environmentalist activists to use law enforcement in going after opponents of the "climate" political agenda". Under Kamala Harris, California's OAG had participated in the since-collapsed "Climate-RICO" cabal organized by New York Attorney General Eric Schneiderman, but kept its involvement off-screen. The new AG, Becerra, has since suggested that he has indeed been working with activists, correspondence to, from or discussing which E&E Legal sought in its PRA request.

Specifically, in July, E&E Legal requested records "concerning the Office of Attorney General's work with private outside parties to pursue, as targets of investigation, perceived opponents of a political and policy agenda shared by the Attorney General and these outside parties." The complaint specifies the public records sought, in the form of correspondence that was sent to, or received from, the Attorney General, or members of his Executive Office, and certain named parties or entities of interest because of their involvement in the AG Climate RICO scandal beginning roughly six-months prior to the request:

"[C]opies of any email correspondence dated between February 1, 2017 and the date you process this request, a) which correspondence was sent from or to (including also as cc: or bcc:) Attorney General Becerra at any address, or members of the Executive Unit of the Attorney General's Office (including also as cc: or bcc:) and b) which correspondence is also to or from (including also as cc: or bcc:), or which uses or mentions, any of the following individuals, entities, or email domains:

Richard Graves

Matthew Palevsky

Tom Matzzie

Ethical Electric

Brian Arbogast

Lee Wasserman

RL Miller

Stephen Heintz

Erin Suhr (an employee of Fahr LLC)

Pawa (including but not limited to mentioning in, e.g., mp@pawalaw.com)

Frumhoff (including but not limited to mentioning in, e.g.,
PFrumhoff@ucsusa.org)

Any email address that includes @fahrllc.com"

The OAG initially delayed its response, and then produced only a single document with little relevance to what E&E Legal sought. OAG withheld all other potentially responsive records claiming the records were 'privileged.' On the basis of E&E Legal's experience with other "Climate-RICO" AGs, as well as information and belief, E&E asserts this is likely baseless given the request encompasses documents shared with outside parties, and work with private, third-party political activists. No such privileges should apply to these records, unless AG Becerra will claim, as has NY's Schneiderman however implausibly, that he has 'deputized' partisan activists, donors and environmental pressure groups.

"As a California citizen and independent journalist, I have seen this act many times with the state government and their chosen third-party groups," said investigative journalist Katy Grimes, an E&E Legal Senior Media fellow and co-petitioner on the suit. "We ask the Court to confirm that the blindfold on Lady Justice reflects how our laws are to be applied equally to all citizens and groups, and not a tool for lobbying by those that elected officials deem sufficiently politically-correct."

In addition to California, E&E Legal is embroiled in similar lawsuits in New York and Vermont, home of the two co-ringleaders of the AG Climate-RICO scheme. The effort entailed a gathering of nearly twenty state-attorneys general, who were joined at their public announcement by climate "investor" Al Gore, vowing to use every legal tool at their disposal to shut

down dissent on the 'climate change' issue and to seek a tobacco-style global settlement from ExxonMobil and other fossil-fuel companies. E&E Legal's public record requests and subsequent litigation in Vermont and New York, and other states, exposed this scandal, leading to most of the attorneys general to flee from the climate crusade.

"Once again we find ourselves having to litigate a routine public records request with a state's attorney general," said E&E Legal President Craig Richardson. "Apparently when these attorney generals are required to follow the same laws they are elected to enforce, they hide behind legal smokescreens and stonewalls."

About E&E Legal

The Energy & Environment Legal Institute (E&E Legal) is a 501(c)(3) organization engaged in strategic litigation, policy research, and public education on important energy and environmental issues. Primarily through its petition litigation and transparency practice areas, E&E Legal seeks to correct onerous federal and state policies that hinder the economy, increase the cost of energy, eliminate jobs, and do little or nothing to improve the environment.

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