



October 8, 2009

Charles W. Pike, Esq.
Office of Legislative Legal Services
200 E. Colfax Ave., Rm. 091
Denver, CO 80203-1782

VIA FACSIMILE 303-866-4157

RE: Colorado Open Records Act Request

Dear Mr. Pike:

Thank you for your prompt response to the Colorado Open Records Act ("CORA") request to Joseph Megyesy as custodian of records for the Senate Minority Office ("SMO") filed by Colorado Ethics Watch ("Ethics Watch") on October 5, 2009.

As a threshold matter, when I delivered Ethics Watch's CORA request to the SMO, I was advised by Dustin Zvonek that Mr. Megyesy no longer worked for the SMO, but that the SMO would treat the CORA request as having been properly delivered. You have not advised me who is now the custodian of records for the SMO. It is our understanding that notwithstanding Mr. Megyesy's departure, the SMO has diligently searched for records responsive to Ethics Watch's request and that nothing has been withheld or not searched for due to the fact that Mr. Megyesy no longer works for the SMO. If this understanding is incorrect, please let me know.

Regarding your response to Item 1 in Ethics Watch's request, Ethics Watch is not interested in seeing any individual's e-mail address. Ethics Watch is interested in seeing the names of individuals on the lists, titles of lists and any other information (e.g., confidentiality notices) that may exist on the lists. Actual e-mail addresses may be redacted. Please let us know when these documents will be available.

We understand that the SMO has responded in full and without objection to Item 2 in Ethics Watch's CORA request. Please let us know if this is not the case.

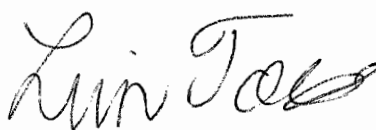
We disagree that Item 3 is insufficiently specific. There are a limited number of candidates for governor. Enclosed for your convenience is a printout from the Secretary of State's website of all candidates for governor and the date each filed as candidates. Ethics Watch is not asking for individual legislator's records, but only records maintained in the SMO that refer in any way to any person's candidacy for governor or campaign-related activities. Ethics Watch also does not seek documents that merely mention persons who happen to be candidates for governor but make no reference to the fact that the person is a candidate. For example, a staff person of the SMO may make reference to an action taken by Governor Ritter, but unless the document relates to his re-election campaign or otherwise refers to the fact that he is a candidate, that record would not be

subject to Ethics Watch's CORA request. We hope that with these clarifications, the SMO can promptly respond to Item 3.

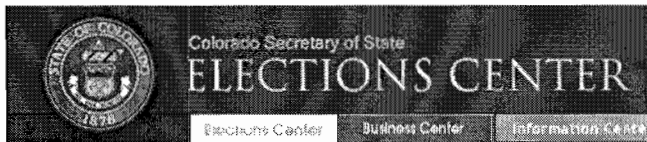
We will be sending a second CORA request to the SMO. You have not identified for us the new director of the SMO who would be deemed the custodian pursuant to section 1.A of the legislature's e-mail policy. Therefore, I will transmit the CORA to you, with the understanding that pursuant to C.R.S. § 24-72-203(2) you will disclose to us the identity of the custodian or forward the request to the custodian for appropriate handling.

Please feel free to contact me if you have any questions or concerns regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis Toro". The signature is written in a cursive, flowing style.

Luis Toro
Senior Counsel



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Jurisdiction: STATEWIDE
Office: Governor
District: Statewide
Election Cycle: 2010 GENERAL

Found 11 matching record(s). Viewing page 1 of 1.

#	Date	Description	Candidate Name	Vol. Spend Limit
1.	03/13/2009	New Candidate	DANIEL MAES	Y
2.	03/20/2009	New Candidate	BILL RITTER, JR.	N
3.	03/20/2009	10 Day Redeclaration Window Open	BILL RITTER, JR.	N
4.	05/19/2009	New Candidate	SCOTT MCINNIS	N
5.	05/19/2009	10 Day Redeclaration Window Open	SCOTT MCINNIS	N
6.	07/10/2009	New Candidate	JOSH PENRY	N
7.	07/10/2009	10 Day Redeclaration Window Open	JOSH PENRY	N
8.	07/10/2009	10 Day Redeclaration Window Open	JOSH PENRY	N
9.	07/10/2009	New Candidate	JOSH PENRY	N
10.	09/15/2009	New Candidate	LEVI HANCOCK	Y
11.	10/01/2009	New Candidate	RICH HAND	Y

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