

March 24, 2020

NJ OPRA Request Seeking Specific Official Communications by Mahen Gunaratna

VIA EMAIL (Opra.Custodian@nj.gov)

Re: Open Public Records Law Request

Dear Custodian of Records Officer:

Pursuant to the New Jersey Open Public Records Act (OPRA), NJSA §§ 47:1A-1 et seq.,

AmmoLand Inc makes the following request for records.

Requested Records

AmmoLand Inc requests that the office of Governor Phil Murphy produce the following records within seven business days:

All available records (see time frame,) by Mahen Gunaratna, while serving the office of New Jersey Governor Phil Murphy.

Records (including but not limited to text, emails, complete email chains, email attachments, and/or meeting transcripts) that included or were sent by or received by Mahen Gunaratna operating in official capacity at email addresses that may or may not include Mahen.gunaratna@nj.gov, that may or may not include discussions or replies with the subjects or terms:

- **Firearms**
- **Guns**
- **gun safety**
- **gun violence**
- **assault weapons**
- **gun or firearms magazines**
- **Gabby Giffords**
- **Girfords.org**
- **moms demand action**
- **Momschapterleaders.org**
- **Everytown For Gun Safety**
- **everytown.org**
- **NJ2AS**
- **New Jersey Second Amendment Society**
- **Association Of New Jersey Rifle And Pistol Clubs**

- **ANJRPC**
- **Scott Bach**
- **Alexander Roubian**
- **Capital Impact Group**
- **Cignj.com**
- **Paul Crupi**
- **Background checks**
- **Nics**
- **Silencers**
- **Ammunition**
- **Nico Bocour**
- **Gun industry**
- **NSSF**
- **Ar15**
- **Rifles**
- **Mahen Gunaratna**
- **Database Of Firearms**
- **Confiscation Of Guns**
- **Second Amendment Sanctuary**
- **Firearms Code Of Conduct**
- **Gun Safety Summit**
- **Consortium To Study Gun Violence**
- **Hospital-based violence intervention programs (HVIP)**
- **Gun Sales**
- **FFL**
- **ghost guns**
- **Federal Firearms Licenses**
- **Prohibited Persons**
- **Firearms Accountability Counsel Task Force (FACT)**

The time frame for this request is January 1, 2019 to March, 31st, 2019. You may omit news clipping compilations, research data compilations, 3rd party publicly available documents.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, AmmoLand Inc provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as

iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations, discussions or zoom meetings.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding department business. Do not exclude records regarding department business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the New Jersey Open Public Records Act (OPRA), NJSA §§ 47:1A-1 et seq.. It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; AmmoLand Inc has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, by intent or through negligence, failed to meet their obligations.
- Please use all tools available to your department to conduct a complete and efficient search for potentially responsive records. departments are subject to government-wide requirements to manage department information electronically, and many departments have adopted the National Archives and Records Administration (NARA) Capstone program, or similar policies. These systems provide options for searching emails and other electronic records in a manner that is reasonably likely to be more complete than just searching individual custodian files. For example, a custodian may have deleted a responsive email from his or her email program, but your department’s archiving tools may capture that email under Capstone. At the same time, custodian searches are still necessary; departments may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.
- *In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.*
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the department before the completion of processing for this request. If

records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to AmmoLand Inc, please do not hesitate to contact AmmoLand Inc to discuss this request. AmmoLand Inc welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, AmmoLand Inc and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email.

Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by physical mail to AmmoLand Inc, 1290 Main Street Unit# 781038 Sebastian, Florida 32958. If it will accelerate release of responsive records to AmmoLand Inc, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. AmmoLand Inc looks forward to working with your department on this request. If you do not understand any part of this request, please contact Fredy Reihl, Editor-in-Chief at news@ammoland.com.