

Jeremy Borden
jsbfoia@gmail.com; (703) 795-3824
504 East Pettigrew Street, Apt 559
Durham, NC
27701

September 24, 2020

Luzerne County, Pennsylvania
Luzerne County Bureau of Elections
Filed by email: elections@luzernecounty.org

Pennsylvania Right to Know Law: Elections communications related to Facebook

To Whom It May Concern:

This is a request under the Pennsylvania Right to Know Law. Per the statute, please provide records responsive to this request as promptly as possible.

I am seeking responsive records that reflect communication to or about Facebook. Please search for responsive documents from August 1, 2020 through present:

- All communications including but not limited to emails and associated attachments from and to members of the division of elections or any outside party about or concerning Facebook concerning election-related matters only. **Please exclude all “noreply” emails that come from notification@facebookmail.com or any other product-related communications from Facebook not related to elections;**
- All communications, including but not limited to emails and associated attachments, between the above-named office and division with employees of Facebook, whose email addresses typically end in “@facebook.com” or “@fb.com.”
- Please include but not limit results between officials in the above-named office to and from the domain of **reports@content.facebook.com**.

Specifically, I am seeking all communications with and about Facebook from August 1, 2020, to present related to elections.

Please provide all records in a machine readable format, including, whenever possible, having performed Optical Character Recognition (OCR) on .pdf files. Word or .doc and/or .docx files are acceptable. If applicable, spreadsheets, whenever possible, should be provided in .csv or .xlsx format.

I request all communications and responsive records regarding this request to be sent electronically to the email provided.

I preemptively agree to pay fees up to \$100 for the search and production of the above-described records and ask to be notified only if the estimated fees exceed that amount. Once records are compiled, please justify each deletion separately by reference to specific exemptions of the law and release all reasonably segregable portions of otherwise-exempt material.

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I look forward to your response within the act's statutory time limit.

Thank you for your acting in a timely manner on this request.

Sincerely,

Jeremy Borden
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Durham, NC
27701



Right-To-Know Response Form

October 2, 2020

Jeremy Borden
Via email only to jsbfoia@gmail.com

RTK REQUEST #2020-147

Dear Mr. Borden:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL").

Recently, the Luzerne County Office of Law received a request for documents from you described in the attached Right To Know request. Your request is denied because Luzerne County does not maintain these documents. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

To further assist you, please note that Luzerne County Elections does not maintain a Facebook page or any Facebook email.

You have a right to appeal this denial of information in writing to Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711