

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NUMBER 26-000047-,MZ
Court of Claims		

Court address 925 W. Ottawa Street Lansing, MI 48909 **Court telephone number**

Plaintiff's name, address, and telephone number Michigan Grassroots Alliance
Plaintiff's attorney bar number, address, and telephone number Thomas J. Lambert (P86348) Outside Legal Counsel, PLC PO Box 107 Hemlock, MI 48626 tlambert@olcplc.com - (989) 642-0055

v

Defendant's name, address, and telephone number Michigan Department of State 430 W. Allegan St. Richard H. Austin Building - 4th Floor Lansing, MI 48918
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Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in this court, _____ Court, where

it was given case number _____ and assigned to Judge _____

The action remains is no longer pending.

Summons section completed by court clerk.

SUMMONS



NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date March 6, 2026	Expiration date* June 7, 2026	Court clerk <i>Jerome W. Zimmer Jr.</i>
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

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PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

I served personally by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	
Incorrect address fee \$	Miles traveled	Fee \$	TOTAL FEE \$

Signature _____

Name (type or print) _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

_____ on _____
Attachments (if any) Date and time

_____ on behalf of _____
Signature

Name (type or print)

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**STATE OF MICHIGAN
IN THE COURT OF CLAIMS**

MICHIGAN GRASSROOTS ALLIANCE,
Plaintiff,

Case No: 26- 000047 -MZ
Honorable Michael F. Gadola

v.

COMPLAINT

MICHIGAN DEPARTMENT OF STATE,
Defendant

OUTSIDE LEGAL COUNSEL PLC
PHILIP L. ELLISON (P74117)
THOMAS J. LAMBERT (P86348)
Attorneys for Plaintiff
PO Box 107
Hemlock, MI 48626
(989) 642-0055
pellison@olcplc.com
tlambert@olcplc.com

*An action commenced under Section 10 of FOIA shall
be assigned for hearing and trial or for argument at the
earliest practicable date and expedited in every way.
MCL 15.240(5)*

VERIFIED COMPLAINT

NOW COMES Plaintiff MICHIGAN GRASSROOTS ALLIANCE, by and through counsel, and complains as follows:

PARTIES

1. Plaintiff MICHIGAN GRASSROOTS ALLIANCE is a Michigan not-for-profit public advocacy organization that advocates for citizen participation and support for public policies and programs which enhance freedoms, protect families, protect the environment, and stimulate individual initiative.
2. Defendant MICHIGAN DEPARTMENT OF STATE is a public body subject to the requirements of the *Freedom of Information Act* (FOIA).
3. Defendant MICHIGAN DEPARTMENT OF STATE is a “public body” as that term is defined by MCL 15.232(h).

JURISDICTION

4. This Court has jurisdiction by statute pursuant to MCL 15.240, MCL 15.240a, and MCL 600.6419.

5. Venue is proper in this court pursuant to MCL 15.240(4) and MCL 15.240a(4).

6. This Court must advance this matter expeditiously as MCL 15.240(5) and MCL 15.240a(5) require that this action shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

GENERAL ALLEGATIONS

7. On September 5, 2025, Plaintiff MICHIGAN GRASSROOTS ALLIANCE submitted a FOIA request via email to Defendant MICHIGAN DEPARTMENT OF STATE requesting certain email and chat communications from MDOS employees and contractors [hereinafter the "Sept 5 FOIA Request"].

8. A fair and accurate copy of the Sept 5 FOIA Request is attached hereto as **Exhibit 1**.

9. On September 9, 2025, Defendant MICHIGAN DEPARTMENT OF STATE responded to the Sept 5 FOIA Request granting it as to nonexempt records in the Department's possession and estimating \$8,196.81 to process the request [hereinafter "Sept 9 Estimate"].

10. Defendant MICHIGAN DEPARTMENT OF STATE demanded \$4,098.41 as a 50% "non-refundable processing fee" to begin processing the Sept 5 FOIA Request.

11. Thereafter, Plaintiff MICHIGAN GRASSROOTS ALLIANCE mailed payment for the demanded deposit to Defendant MICHIGAN DEPARTMENT OF STATE.

12. On November 21, 2025, Defendant MICHIGAN DEPARTMENT OF STATE notified Plaintiff MICHIGAN GRASSROOTS ALLIANCE that the Department had finished processing the Sept 5 FOIA Request [hereinafter the Nov 21 Final Response"].

13. A fair and accurate copy of the Nov 21 Final Response is attached hereto as **Exhibit 2**.

14. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE assessed labor charges at three different hourly rates for labor to review and separate material: \$39.21, \$59.00, and \$97.18.

15. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE calculated a labor charge of \$3,883.74, even though 27 units of labor at the stated rate of \$59.00 per unit totals only \$1,593.00.

16. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE assessed 10 units of labor for copying digital records, a task that ordinarily requires only minutes to complete.

17. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE did not clearly indicate a fringe benefit multiplier.

18. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE described certain FOIA exemptions but, other than personal email and residential addresses, did not otherwise describe any information redacted or records withheld.

19. Most of the justification that Defendant MICHIGAN DEPARTMENT OF STATE provided for its redactions consisted of little more than cursory recitation of statutory language.

20. In its final response, Defendant MICHIGAN DEPARTMENT OF STATE demanded an additional \$4,077.06 “in order to produce the records”, despite already receiving a 50% good-faith deposit.

21. Indeed, Defendant MICHIGAN DEPARTMENT OF STATE did not provide responsive records until paid in full.

22. Eager to obtain the requested records, Plaintiff MICHIGAN GRASSROOTS ALLIANCE promptly submitted payment for the additional \$4,077.06.

23. On December 8, 2025, Plaintiff MICHIGAN GRASSROOTS ALLIANCE received a flash drive from Defendant MICHIGAN DEPARTMENT OF STATE containing 455 pages of responsive records.

24. None of the records produced constituted chat communications.

25. Defendant MICHIGAN DEPARTMENT OF STATE did not provide a privilege log or otherwise identify, list, or describe any records withheld from production.

26. On December 9, 2025, Plaintiff MICHIGAN GRASSROOTS ALLIANCE appealed Defendant’s excessive fee calculation, failure to provide a privilege log, and failure to provide any chat communications [hereinafter the “Dec 9 Appeal”].

27. A fair and accurate copy of Plaintiff MICHIGAN GRASSROOTS ALLIANCE’s appeal is attached hereto as **Exhibit 3**.

28. On December 22, 2025, Plaintiff MICHIGAN GRASSROOTS ALLIANCE received five additional documents from Defendant MICHIGAN DEPARTMENT OF STATE which appear to be previously unproduced attachments to emails already produced

29. On January 27, 2026, Defendant MICHIGAN DEPARTMENT OF STATE finally responded to the Dec 9 Appeal.

30. A fair and accurate copy of the above-referenced appeal response is attached hereto as **Exhibit 4**.

31. With its appeal response Defendant MICHIGAN DEPARTMENT OF STATE finally provided a privilege log listing only four withheld documents.

32. A fair and accurate copy of the privilege log is attached hereto as **Exhibit 5**.

33. In the appeal response, Defendant MICHIGAN DEPARTMENT OF STATE reviewed the appealed charges and declared that they “are appropriate and meet the Department’s procedures and guidelines.”

34. Also in the appeal response, Defendant MICHIGAN DEPARTMENT OF STATE stated chat communications were “granted and provided to [Plaintiff] in the form of Teams Messages.”

35. Defendant MICHIGAN DEPARTMENT OF STATE finished its response by declaring that there are no grounds for an appeal.

36. At no point has Plaintiff MICHIGAN GRASSROOTS ALLIANCE received records consisting of Teams Messages, or any other form of chat communication pursuant to the Sept 5 FOIA Request, which is why Plaintiff MICHIGAN GRASSROOTS ALLIANCE appealed the failure to produce these records.

37. Defendant MICHIGAN DEPARTMENT OF STATE has acted arbitrarily and capriciously.

38. Defendant MICHIGAN DEPARTMENT OF STATE has intentionally violated the law or has otherwise acted in bad faith.

39. As a result of Defendant MICHIGAN DEPARTMENT OF STATE’s wrongful conduct relating to the Sept 6 FOIA Request, Plaintiff MICHIGAN GRASSROOTS ALLIANCE has incurred attorney fees, costs, and disbursements which should be paid by Defendant pursuant to MCL 15.240(6).

COUNT I
WRONGFUL FOIA DENIAL (MCL 15.240)
Failure to Produce Chat Communications

40. Plaintiff MICHIGAN GRASSROOTS ALLIANCE incorporates by reference the previous allegations as if set forth word for word herein.

41. Plaintiff MICHIGAN GRASSROOTS ALLIANCE submitted a valid request for public records via the Sept 5 FOIA Request.

42. Defendant MICHIGAN DEPARTMENT OF STATE has failed to disclose responsive records known as chat communications that Plaintiff MICHIGAN GRASSROOTS ALLIANCE is otherwise entitled to obtain under FOIA.

43. To the extent that any records or information may be withheld, Defendant MICHIGAN DEPARTMENT OF STATE has failed to provide detailed explanations sufficient to justify such withholding.

44. To the extent that any records or information may be withheld, Defendant MICHIGAN DEPARTMENT OF STATE has failed to sufficiently describe the withheld records or information.

45. To the extent that any records or information may be withheld, Defendant MICHIGAN DEPARTMENT OF STATE has failed to properly separate exempt from nonexempt material and provide the nonexempt material.

46. To the extent that any records do not exist, Defendant MICHIGAN DEPARTMENT OF STATE has failed to notify Plaintiff of their nonexistence.

COUNT II
WRONGFUL FOIA DENIAL (MCL 15.240 / MCL 15.240a)
Failure to Produce Records Until Paid in Full

47. Plaintiff MICHIGAN GRASSROOTS ALLIANCE incorporates by reference the previous allegations as if set forth word for word herein.

48. A public body “may require a good-faith deposit from the person requesting information before providing the public records to the requestor” if the public body’s estimated fee exceeds \$50 and the required deposit does not exceed 1/2 of the estimate. MCL 15.234(8).

49. In direct contravention of FOIA’s limit, Defendant MICHIGAN DEPARTMENT OF STATE required Plaintiff MICHIGAN GRASSROOTS ALLIANCE to pay in full before providing records to Plaintiff for the Sept 5 FOIA Request.

50. A public body may exceed the 1/2 deposit limit if it has granted and fulfilled a prior request from the same requestor for which the public body has not been paid in full, among other requirements. MCL 15.234(11).

51. At the time that Defendant MICHIGAN DEPARTMENT OF STATE demanded full payment for the Sept 5 FOIA Request, Plaintiff MICHIGAN GRASSROOTS ALLIANCE did not have a fulfilled FOIA request for which payment had not already been made in full.

52. Defendant MICHIGAN DEPARTMENT OF STATE had no justification to continue withholding the public records responsive to the Sept 5 FOIA Request subject to full payment.

53. Defendant MICHIGAN DEPARTMENT OF STATE's failure to timely produce public records, without any justification for withholding them further, constitutes a wrongful delay and denial.

54. Plaintiff MICHIGAN GRASSROOTS ALLIANCE routinely requests records through FOIA from Defendant MICHIGAN DEPARTMENT OF STATE and its divisions.

55. An actual controversy exists between Plaintiff MICHIGAN GRASSROOTS ALLIANCE and Defendant MICHIGAN DEPARTMENT OF STATE over Defendant's ongoing practice of unlawfully demanding full payment before providing records.

56. A ruling on this issue is necessary to guide the future conduct of the parties.

57. Failure to resolve this issue now will cause Plaintiff MICHIGAN GRASSROOTS ALLIANCE to experience significant delays in obtaining public records in the future, because FOIA permits public bodies to withhold records while related appeals or litigation remain pending.

**COUNT III
EXCESSIVE FOIA FEE (MCL 15.240a)**

58. Plaintiff MICHIGAN GRASSROOTS ALLIANCE incorporates by reference the previous allegations as if set forth word for word herein.

59. Defendant MICHIGAN DEPARTMENT OF STATE failed to assess fees based on the lowest-paid employee capable of performing the work, regardless of who was available and who actually performed the work relating to the Sept 5 Request.

60. Defendant MICHIGAN DEPARTMENT OF STATE failed to round any partial time increments down.

61. Defendant MICHIGAN DEPARTMENT OF STATE failed to multiply 27 by 59 correctly.

62. Defendant MICHIGAN DEPARTMENT OF STATE wrongfully demanded payment in excess of the labor necessary to process the Sept 5 FOIA Request.

63. Defendant MICHIGAN DEPARTMENT OF STATE wrongfully demanded payment in full prior to providing responsive records.

RELIEF REQUESTED

64. WHEREFORE, Plaintiff MICHIGAN GRASSROOTS ALLIANCE respectfully requests this Court:

- a. enter an order assigning this matter hearing and trial or for argument at the earliest practicable date and be expedited in every way pursuant to MCL 15.240(5) and MCL 15.240a(5);

- b. find that Defendant MICHIGAN DEPARTMENT OF STATE is wrongfully withholding responsive records requested via the Sept 5 FOIA Request;
- c. find that Defendant MICHIGAN DEPARTMENT OF STATE has demanded fees in excess of what is legally permitted by law in regard to the Sept 5 FOIA Request;
- d. issue a declaratory judgment that Defendant MICHIGAN DEPARTMENT OF STATE ongoing practice of demanding full payment before providing public records violates FOIA;
- e. enter or issue an order upon Defendant MICHIGAN DEPARTMENT OF STATE to cease withholding or to produce all public records and information wrongfully withheld pursuant to MCL 15.240(4);
- f. enter or issue an order upon Defendant MICHIGAN DEPARTMENT OF STATE reducing the fees for the Sept 5 FOIA Request to a lawful and permissible amount pursuant to MCL 15.240a(4) and order Defendant to repay the difference to Plaintiff MICHIGAN GRASSROOTS ALLIANCE;
- g. enter an order awarding all damages and punitive damages, and imposing all civil fines authorized by Michigan's *Freedom of Information Act*;
- h. enter an order awarding all reasonable attorney fees, costs, and disbursements required by MCL 15.240(6) and MCL 15.240a(6); and
- i. grant all other relief that Court deems equitable and just.

Date: March 4, 2026

RESPECTFULLY SUBMITTED:

/s/ Thomas J. Lambert
OUTSIDE LEGAL COUNSEL PLC
THOMAS J. LAMBERT (P86348)
Attorney for Plaintiff
PO Box 107
Hemlock, MI 48626
(989) 642-0055
tlambert@olcplc.com

VERIFICATION

I declare under the penalties of perjury that this Verified Complaint has been examined by me and that its contents are true to the best of my knowledge, information, and belief.

Date: March 6, 2026

[Signature]
Patrick Colbeck
President
Michigan Grassroots Alliance

Signed and sworn to before me on March 10, 2026 (date)

Notary's Signature: [Signature]

Notary's Name: Takeia Reneia Dean

Notary public, Wayne County, State of Michigan

Acting in County of Wayne

My commission expires: January 26, 2030

TAKEIA RENEIA DEAN
Notary Public - State of Michigan
County of Wayne
My Commission Expires Jan 26, 2030
Acting in the County of Wayne

OUTSIDE LEGAL COUNSEL PLC
www.olcplc.com

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Sitts, Jennifer (MDOS)

From: Patrick Colbeck <patrick@migrassrootsalliance.org>
Sent: Friday, September 5, 2025 3:40 PM
To: MDOS-FOIA
Subject: FOIA Request: Voter Roll Maintenance Rules Communications

Importance: High



CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

For period of April 1, 2025 through present day, please provide copies of all email and chat room communications for MDOS employees, Michigan ARD employees, Alessa Boes, and contractors featuring the keywords "CheckMyVote.org", "Ancestry.com", "Rule set", "2025-13 ST", and "Voter Registration Cancellation".

Thank you for your assistance!
Patrick Colbeck
President, MI Grassroots Alliance
47841 Royal Pointe Drive
Canton, MI 48187
734-453-3105

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STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING



FREEDOM OF INFORMATION ACT NOTICE

November 21, 2025

Patrick Colbeck
47841 Royal Pointe Dr
Canton, MI 48187

Via Email: patrick@migrassrootsalliance.org

Patrick Colbeck:

The Michigan Department of State (Department) has finished processing your request for records received September 5, 2025, made pursuant to the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 *et seq.* A request sent is considered received on the business day; here, September 8, 2025. MCL 15.235(1). This notice is issued in response to your request.

Your request for “[f] the period of April 1, 2025 through present day, please provide copies of all email and chat room communications for MDOS employees, Michigan ARD employees, Alessa Boes, and contractors featuring the keywords ‘CheckMyVote.org’, ‘Ancestry.com’, ‘Rule set’, ‘2025-13 ST’, and ‘voter Registration Cancellation’.”, is granted in part as to existing, nonexempt public records that are determined to be responsive to your request and denied in part.

Your request is denied in part to the extent that it seeks personally identifiable information of third parties such as personal email addresses and residential addresses as the release of such information of a personal nature would constitute a clearly unwarranted invasion of privacy for third party individuals. MCL 15.243(1)(a). The basic FOIA policy of full agency disclosure, unless information is exempted, focuses on a requester’s right to access official information that sheds light on an agency’s performance of its statutory duties. That purpose, however, is not fostered by disclosure of information of a personal nature that is accumulated in various governmental files but that reveals little or nothing about an agency’s own conduct. In this instance, the personal information would constitute an unwarranted invasion of an individual’s privacy by revealing personal information about an unrelated matter they have requested through the FOIA.

MCL 168.509gg(1) – (2). The Department is required to separate exempt from nonexempt material. MCL 15.244(1). Where a responsive record contains both exempt and nonexempt material, the Department will redact such material.

Your request has items that are denied under MCL 15.243(1)(g) Information or records subject to attorney-client privilege.

Your request has items that are denied under MCL 15.243(1)(m) Communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action. This exemption does not apply unless the public body shows that in the particular instance the public interest in encouraging frank communication between officials and employees of public bodies clearly outweighs the public interest in disclosure .

Under the FOIA, the Department may shield such sensitive information from disclosure, as publicly releasing the system files used by the Bureau of Elections would compromise the Department's ability to secure and safeguard the software and data from hacking, theft, loss or destruction. It would also prohibit the Department's ability to safeguard the electoral process including ballot programming, voting equipment, and election night results. The records sought constitute "cybersecurity plans, assessments, or vulnerabilities" that are exempt from disclosure, and the Department's interest in maximizing the protection and defense of its information systems outweighs the public interest in the disclosure of this information. MCL 15.243(1)(y). In addition, the responsive records include sensitive information which, if released, "would disclose a person's cybersecurity plans or cybersecurity-related practices, procedures, methods, results, organizational information system infrastructure, hardware, or software." MCL 15.243(1)(z).

The Department is in receipt of the 50% non-refundable good faith estimate amount of \$4098.41. In order to produce the records, please pay the balance of the actual processing fee of **\$4077.06**. FOIA authorizes the Department to charge for mailing costs, copying, searching, reviewing, deleting, and separating exempt from nonexempt information (MCL 15.234). The failure to charge a fee for the search, examination, review, and the deletion and separation of exempt from nonexempt information would result in unreasonably high costs to the Department in this particular instance because your request requires Department employee(s) to be diverted from their regularly assigned duties in order to process your request.

Checks or money orders should be made payable to the STATE OF MICHIGAN and mailed to:

Michigan Department of State, Cashier Unit
7064 Crowner Drive
Lansing, MI 48918

Please include a copy of the invoice when making payment in order for the Cashier Unit to know where to forward the payment documents.

With regard to the partial denial of your request, under FOIA (MCL 15.240) you may do one of the following:

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1. Appeal this decision in writing to the Secretary of State's designated appeals officer at:

Secretary of State Jocelyn Benson
Attn: Khyla Craine
Legal Services Administration
Michigan Department of State
P.O. Box 30204
Lansing, Michigan 48918

The writing must specifically state the word "appeal" and must identify the reason or reasons you believe the denial should be reversed. The Department must respond to your appeal within 10 business days of its receipt. Under unusual circumstances, the time for a response may be extended by 10 business days.

2. File an action in the appropriate court within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs and disbursement, and possible damages.

The Department's FOIA Procedures and Guidelines can be accessed at www.michigan.gov/sos, under the "FOIA" tab at the bottom of the page.

Sincerely,

Sherri Hines

Sherri Hines
FOIA Coordinator
Bureau of Elections
BOERegulatory@michigan.gov

Enclosure

Freedom of Information Act Detailed Itemization of Fees

FINAL

Date: November 21, 2025

Request ID:

3027

Patrick Colbeck

47841 Royal Pointe Dr

Canton, MI 48187

patrick@migrassrootsalliance.org

Cashier: Please email BOERegulatory@michigan.gov when fees are received.

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
Labor costs* to search, locate, and examine**	1	\$39.21	\$ 39.21
Labor costs* for review and separation of exempt from non-exempt material**	17.5	\$39.21	\$ 686.18
Labor costs* for review and separation of exempt from non-exempt material**	32.5	\$97.18	\$3,158.35
Labor costs* for review and separation of exempt from non-exempt material**	27	\$59.00	\$ 3,883.74
Non-paper physical media (e.g. CD, DVD, flashdrive) and list actual costs.	1	\$6.00	\$ 6.00
Duplication and publication (copying, scanning, etc.)		\$0.10	\$ -
Labor costs* to duplicate or publish**	10	\$39.21	\$ 392.10
Mailing (describe and list item and actual cost)	1	\$9.90	\$ 9.90
SUBTOTAL			\$ 8,175.47
DEPOSIT RECEIVED			\$ 4,098.41
Less reduction for untimely response (subtotal x 5% reduction per day x __ days)		\$408.77	\$0.00
TOTAL BALANCE DUE			\$ 4,077.06

Make check payable to State of Michigan and mail to: Michigan Department of State, Cashier Unit, 7064 Crowner Drive, Lansing, MI 48918

*Labor costs will be calculated using the lowest paid Department employee capable of each task. If more than one hourly rate is used, each will be listed on other copies of this form.

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Secretary of State Jocelyn Benson
Attn: Khyla Craine
Legal Services Administration
Michigan Department of State
P.O. Box 30204
Lansing, MI 48918



December 9, 2025

SUBJECT: APPEAL regarding September 5, 2025 FOIA Request Regarding New Voter Roll Maintenance Rules

Dear Ms. Craine,

Pursuant to the guidelines provided by Sherri Hines in her December 1, 2025 FOIA Notice, I am formally appealing to the Michigan Department of State (MDOS) regarding their response to my September 5, 2025 FOIA request communications pertaining to their new Voter Roll Maintenance Rules.

Their response to my FOIA request is deficient as follows:

- Excessive fee calculation
- Failure to provide an itemized privilege log
- Absence of chat communications (CEA and BOE chat room communications have been cited in previous FOIA responses)

The MDOS appears to be preventing full disclosure of the requested information via a variety of mechanisms under the color of law. Such actions would violate various sections of federal law including 18 USC Section 242, 18 USC Section 250, and 42 USC Section 1983. In order to preclude the filing of complaints pertinent to these potential violations, please reconcile the cited deficiencies by taking the following actions:

- Issue a check made to "Rocket Fuel Fund" for difference between paid fee and a legally justifiable fee
- Provide an itemized privilege log citing each redaction and the legal justification asserted for each redaction
- Provide missing chat communications

Please provide the missing information to the address below or via email to patrick@migrassrootsalliance.org. Check can be mailed to the address below. If you choose not to provide the requested information, you are hereby given notice of the need to preserve these records until a court rules on this matter.

Thank you for your prompt attention to this matter.

Regards,

Patrick J. Colbeck
President
Michigan Grassroots Alliance (aka Rocket Fuel Fund)
47841 Royal Pointe Drive
Canton, MI 48187

Attachments:

- December 1, 2025 FOIA Notice from Sherri Hines

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Patrick Colbeck

From: MDOS-FOIA <MDOS-FOIA@michigan.gov>
Sent: Tuesday, January 27, 2026 2:14 PM
To: Patrick Colbeck
Cc: Craine, Khyla (MDOS); Novak, Doug (MDOS)
Subject: Response: FOIA Appeal
Attachments: 3027 Colbeck, Patrick items withheld log.pdf



The Michigan Department of State (Department) is providing its response to your appeal and fee appeal regarding your request for records under the provisions of the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 et seq.

You requested:

"[f] the period of April 1, 2025 through present day, please provide copies of all email and chat room communications for MOOS employees, Michigan ARD employees, Alessa Boes, and contractors featuring the keywords 'CheckMyVote.org', 'Ancestry.com' 'Rule set', '2025-13 ST and 'voter Registration Cancellation'.

Department records indicate that in a notice dated December 1, 2025, the Department granted your request as to existing, nonexempt public records that were determined to be responsive to your request; and denied your request in part citing several FOIA exemptions. The Department also provided a supplemental response on December 19, with additional responsive documents.

In your appeal you indicate that the Department's response "is deficient as follows:"

- Excessive fee calculation
- Failure to provide an itemized privilege log
- Absence of chat communications (CEA and BOE chat room communications have been cited in previous FOIA responses)

Regarding your fee appeal, section 10a of the FOIA requires a requestor to "identify how the required fee exceeds the amount permitted under the public body's available procedures and guidelines." Merely stating you believe the fees are excessive does not meet this burden. Furthermore a review of the Department's detailed itemization of fees; which you paid, indicates that all charges are appropriate and meet the Department's procedures and guidelines.

Regarding your appeal, in a review of the Department's response, the Department neglected to provide a log of withheld records and is attached. In addition, the records determined to be responsive to your request for "chat communications" were granted and provided to you in the form of Teams Messages. No other communications exist. As such there are no grounds for an appeal under the FOIA.

The Department's FOIA Procedures and Guidelines can be accessed at www.michigan.gov/sos, under the "FOIA" tab at the bottom of the page.

Sincerely,

Khyla D. Craine she/her (pronounced Key-la)
Chief Legal Director
Michigan Department of State
Secretary of State Jocelyn Benson
517-643-5669 | crainek@michigan.gov

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Polbeck, Patrick

FOIA Request #3027
Items withheld

Date	To
8/28/2025	Craine, Khyla; Schaar, Meghan; Lillie, Erin; Garrison, Katherine; Fracassi, Adam; Albro, Lisa; Grill, Erik
8/21/2025	Craine, Khyla; Schaar, Meghan; Fracassi, Adam; Albro, Lisa; Grill, Erik
7/28/2025	Hines, Sherrri; Meingast, Heather; Grill, Erik; Brater, Jonathan
7/9/2025	Fracassi, Adam; Haidar, Danny

From	Exemption
Meingast, Heather	Attorney-Client Privilege
Meingast, Heather	Attorney-Client Privilege
Fracassi, Adam	Attorney-Client Privilege
Meingast, Heather	Attorney-Client Privilege

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STATE OF MICHIGAN
COURT OF CLAIMS

Bundle Cover Sheet

Lower Court:	L Ct No.:	COC No.: TEMP-EJLKVJPN
Case Title: MICHIGAN GRASSROOTS ALLIANCE v. MICHIGAN DEPARTMENT OF STATE		
Priority: NONE	Filing Option: File Only	

Filer Information

<u>Filer</u> Thomas Lambert PO Box 144 Jamestown, MI 49427 tlambert@tjlplc.com	<u>Attorney</u> Thomas Lambert, P86348(MI) PO Box 144 Jamestown, MI 49427 tlambert@tjlplc.com
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Filing Summary

Filing Type	Filing Name	Fee
Summons and Complaint	2026-03-06 MIGA v MDOS Complaint Final	\$150.00
	eFiling System Fee:	\$25.00
CONNECTED FILING	2026-03-06 MIGA v MDOS Summons	\$0.00
	NON-REFUNDABLE Automated Payment Service Fee:	\$5.25
	Total:	\$180.25

Alternate Payment Reason: None

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The document(s) listed above were electronically filed with the Michigan Court of Claims.

TEMP-EJLKVJPN-53619499

TrueFiling Case Initiation - Summons and Complaint

Case Title:

MICHIGAN GRASSROOTS ALLIANCE V. MI

Case Type:

MZ

Case Description:

Other Damage Suits: All other claims not otherwise coded

Party 1 (Plaintiff)

Business: Michigan Grassroots Alliance **Phone:****Address:** PO Box 107**City:** Hemlock **State:** Michigan **Zip:** 48626

Attorney(s) for Party 1

Name: Thomas J. Lambert **Bar Number:** P86348 **(Lead Counsel)**

Party 2 (Defendant)

Business: Michigan Department of State **Phone:****Address:** 430 W. Allegan St. Richard H. Austin Building "4th Floor**City:** Lansing **State:** Michigan **Zip:** 48981**Party is Pro Se**