

From: [Noel Johnson](#)
To: [Cox, Paul](#)
Cc: [Kaylan Phillips](#)
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)
Date: Wednesday, May 29, 2019 4:49:00 PM
Attachments: [image002.png](#)

Paul,

Thank you for speaking with me today about our NVRA request. As I mentioned on the phone, the question we need answered is whether the State Board is withholding records under the position stated in the May 3, 2019 letter from Josh Lawson or whether the State Board will produce the additional records described in the original requests (reiterated in my letter of May 9, 2019). As we further discussed, we need an answer by next week. Thank you again.

Noel

From: Noel Johnson
Sent: Tuesday, May 28, 2019 4:53 PM
To: Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Paul,

I just left you a voicemail at 919-716-6900. I will be in the office until around 6:45. If I don't hear from you today, I will try again tomorrow morning. Thanks.

Noel

From: Cox, Paul <pcox@ncdoj.gov>
Sent: Tuesday, May 28, 2019 10:47 AM
To: Noel Johnson <njohnson@PublicInterestLegal.org>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

That's fine. I'm unsure if this deposition will be finished by then, anyway.

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Tuesday, May 28, 2019 10:46 AM
To: Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Paul,

I overlooked an appointment at 1:40 today that will keep me from calling at 2:00. I will try you when I am back in the office in the late afternoon.

Noel

From: Cox, Paul <pcox@ncdoj.gov>
Sent: Thursday, May 23, 2019 3:21 PM
To: Noel Johnson <njohnson@PublicInterestLegal.org>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Sounds good.

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Thursday, May 23, 2019 3:18 PM
To: Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

That works for me. I will plan on calling you at 2:00pm unless I hear your schedule has changed. Thank you.

From: Cox, Paul [<mailto:pcox@ncdoj.gov>]
Sent: Thursday, May 23, 2019 3:16 PM
To: Noel Johnson <njohnson@PublicInterestLegal.org>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

I could tentatively do a call next Tuesday afternoon after 2pm. That's contingent on a deposition that is currently scheduled to start that morning but which I don't expect to last too long.

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Thursday, May 23, 2019 3:07 PM
To: Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

What is your availability next week Tuesday or Wednesday for a phone call?

Noel

From: Cox, Paul [<mailto:pcox@ncdoj.gov>]
Sent: Thursday, May 23, 2019 12:30 PM
To: Noel Johnson <njohnson@PublicInterestLegal.org>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Hi Noel – unfortunately today won't work. I'm tied up with some deadlines for the next couple hours, and then I'm on the hook for childcare for the rest of the day.

Paul

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Thursday, May 23, 2019 11:08 AM
To: Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Cox,

I retrieved your letter and the hard drive this morning from the State Board of Elections office. I also spoke briefly with Josh Lawson, who instructed me to refer all further questions about our request to you. Consistent with his instructions and your letter, I am no longer including your client on my correspondence.

I am currently in Raleigh and, I believe, within walking distance of your office. Do you have time to meet today to answer a few questions about the State Board's response to our request? I do not fly out until 7:45 pm. Please let me know.

Noel

From: Noel Johnson
Sent: Wednesday, May 22, 2019 12:13 PM
To: Cox, Paul <pcox@ncdoj.gov>; Lawson, Joshua <joshua.lawson@ncsbe.gov>
Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Cox,

Thank you for the response. We appreciate the Board's effort compiling responsive records. Obviously, I cannot presently assess whether the records satisfy the request in full. Because my travel is already booked, I believe the best way to proceed is to retrieve the records in person, as planned. That way I can review what was compiled and resolve any outstanding issues in person. Hopefully, that will allow us to conclude this matter as quickly as possible.

My plan is to arrive at the offices of the State Board at 10:00 am. If you prefer to be present and if another meeting location is preferable, please let me know as soon as possible.

Thank you,

Noel

From: Cox, Paul <pcox@ncdoj.gov>
Sent: Tuesday, May 21, 2019 5:56 PM
To: Noel Johnson <njohnson@PublicInterestLegal.org>; Lawson, Joshua <joshua.lawson@ncsbe.gov>
Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Johnson,

The Board was able to put together materials responsive to your requests and consistent with the NVRA and other applicable law, and can send these materials to you on a hard drive. This would avoid a trip to the Board's office to pick up the same information on Thursday. This process is the Board's typical method of responding to public records requests. Please let me know what address to forward these materials to.

Best regards,



Paul M. Cox
Special Deputy Attorney General
Phone: (919)716-6932
pcox@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603

Please note messages to or from this address may be public records.

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Tuesday, May 14, 2019 3:58 PM
To: Cox, Paul <pcox@ncdoj.gov>; Lawson, Joshua <joshua.lawson@ncsbe.gov>
Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Cox,

Please see the attached correspondence regarding this matter.

Noel Johnson

From: Cox, Paul <pcox@ncdoj.gov>
Sent: Monday, May 13, 2019 8:44 PM
To: Noel Johnson <njohnson@PublicInterestLegal.org>; Lawson, Joshua <joshua.lawson@ncsbe.gov>
Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Johnson,

I hope this note finds you well.

I'm an attorney with the North Carolina Attorney General's Office and represent the State Board of Elections. I'd like to discuss your information requests, but your notice from last Thursday that you would be visiting the State Board's office this Thursday to ask to be shown various categories of records that you have previously requested in writing is not possible to accommodate on such short notice. The Board staff that would be involved with such a visit would have to be taken away from critical election-related duties in the midst of two special congressional elections—including one that has a primary election tomorrow. I trust that your visitation notice is not intended to hinder the Board's core election administration functions. The Board's legal staff is also in the middle of a staff transition, and I am in near-constant depositions for the remainder of the week.

In the interest of reasonable accommodation, I'd like to suggest that we set up a call sometime next week to discuss your information requests and your understanding of the records that are covered by the disclosure provisions of the NVRA, as well as our understanding of what the law permits and/or requires the Board to disclose. My hope is that we can reach an understanding of what the law requires. I am available most any day except Monday morning, Tuesday afternoon, and Friday morning.

I look forward to hearing from you and connecting soon.

Best regards,



Paul M. Cox
Special Deputy Attorney General
Phone: (919)716-6932
pcox@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603

Please note messages to or from this address may be public records.

From: Noel Johnson <njohnson@PublicInterestLegal.org>
Sent: Thursday, May 9, 2019 11:44 AM
To: Lawson, Joshua <joshua.lawson@ncsbe.gov>
Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>; Cox, Paul <pcox@ncdoj.gov>
Subject: RE: Notice citing the National Voter Registration Act of 1993 (NVRA)

Mr. Lawson,

Please see the attached correspondence regarding this matter.

Noel Johnson

From: Lawson, Joshua <joshua.lawson@ncsbe.gov>

Sent: Friday, May 03, 2019 4:13 PM

To: Noel Johnson <njohnson@PublicInterestLegal.org>

Cc: Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>; Cox, Paul <pcox@ncdoj.gov>

Subject: Re: Notice citing the National Voter Registration Act of 1993 (NVRA)

Good afternoon, Attorney Johnson. Attached, please find correspondence regarding your letter.

Very sincerely,

Josh Lawson : General Counsel
o: 919-814-0755 f: 919-715-0135

