

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

MICHIGAN OPEN CARRY, INC,
Plaintiff/Petitioner,

Case No.: 18-_____ -MZ
Honorable _____

v.

DISCOVERY

MICHIGAN DEPARTMENT OF STATE
POLICE also commonly known as the
MICHIGAN STATE POLICE,
Defendant

OUTSIDE LEGAL COUNSEL PLC
PHILIP L. ELLISON (P74117)
Attorney for Plaintiff/Petitioner
PO Box 107
Hemlock, MI 48626
(989) 642-0055
(888) 398-7003 - fax
pellison@olcplc.com

**FIRST SET OF DISCOVERY REQUESTS
(SERVED WITH SUMMONS AND COMPLAINT)**

TO: DEFENDANT MICHIGAN DEPARTMENT OF STATE POLICE

As used within this request:

A. "Identify" when referring to an individual, corporation, or other entity shall mean to set forth the name, address, and telephone number, and if a corporation or other entity, its principle place of business, or if an individual, the present or last known home address, his or her job title or titles, by whom employed and address of the place of employment.

B. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's principals, employees, staffers, agents, insurance companies, representatives, and unless privileged, his, her, or its attorney or attorneys. When an answer/response is made by a corporate or other non-individual party, state the name, address and title of person(s) supplying the information and list the source of his or her information.

C. The pronoun "you" refers to the party this request is directed at as well as to the individuals and entities mentioned in subsection (B) above.

Kindly answer, respond, and/or produce, in full, all discovery items/requests propounded below pursuant to MCR 2.302, MCR 2.309, MCR 2.310, and/or MCR 2.312 of the Michigan Court Rules:

1. INTERROGATORY: In response to Plaintiff Michigan Open Carry, Inc's FOIA request for the "*list of expenditures made by the Department of State Police from money received under the Firearms Act (1927 PA 372, MCL 28.421 et. seq.), regardless of purpose, between October 1, 2015 to September 30, 2016*), you responded via your FOIA Coordinator that "the records you have requested are available at the department's website at http://www.michigan.gov/msp/0,4643,7-123-1878_1591_3505_4654-77621--,00.html." Compare **Exhibit A with Exhibit G** attached. On this webpage (a printout of which is attached hereto as **Exhibit K**), there are additional links to documents entitled [*Year – Year*] *CPL Annual Report* for the periods referenced by the FOIA request.

Please state the exact page number(s) within the applicable *CPL Annual Report* which contains the information sought by Plaintiff Michigan Open Carry, Inc's FOIA Request dated Sept 28, 2017.

2. INTERROGATORY: Identify (name, address, telephone number, email address) the name(s) of each and every employee/agent/contractor/official within or on behalf of the Michigan Department of State Police who is responsible for compiling the list of expenditures made by the Department of State Police from money received under the Firearms Act as required by MCL 28.425e(5)(m).
3. PRODUCE: All email and/or written communications involving Plaintiff Michigan Open Carry, Inc's Sept 28, 2017 FOIA request, including all communications to/from/between the Department of State Police's FOIA Coordinator and any other employee/agent/contractor/official within the Michigan Department of State Police
4. INTERROGATORY: Identify all persons with whom you consulted and/or checked with to investigate actual or possible answers to these discovery requests; for each person, itemize each discovery request the person contributed information which became your answer in response thereto.

Date: March __, 2018

RESPECTFULLY SUBMITTED:

Philip L Ellison

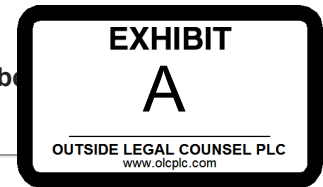
OUTSIDE LEGAL COUNSEL PLC
BY PHILIP L. ELLISON (P74117)
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(989) 642-0055
(888) 398-7003 - fax
pellison@olcplc.com

**Electronic signature authorized by MCR 2.114(C)(3) and MCR 1.109(D)(1)-(2)



MOC
mail

Tom Lambert



miopencarry.org>

MSP FOIA Request

Tom Lambert <tlambert@miopencarry.org>
To: MSP-FOI@michigan.gov
Cc: MiOC Board <board@miopencarry.org>
Bcc: Dean Greenblatt <dgg@mnsi.net>

Thu, Sep 28, 2017 at 12:00 PM

To whom it may concern,

On behalf of Michigan Open Carry, Inc., and pursuant to the Michigan Freedom of Information Act (FOIA), Michigan Public Act 442 of 1976; MCL 15.231 et. seq., I am hereby requesting an opportunity to inspect or obtain copies of public records. I am hereby requesting the following from the Michigan Department of State Police:

- A list of expenditures made by the Department of State Police from money received under the Firearms Act (1927 PA 372, MCL 28.421 et. seq.), regardless of purpose, between October 1, 2015 to September 30, 2016.

For your convenience, please note that this information is required by law to be posted to the Department's website per Section 5e of 1927 PA 372, [MCL 28.425e](#) (5)(m).

(5) The department of state police shall by January 1 of each year file with the secretary of the senate and the clerk of the house of representatives, and post on the department of state police's internet website, an annual report setting forth all of the following information for the state for the previous fiscal year:

(m) A list of expenditures made by the department of state police from money received under this act, regardless of purpose.

I am also hereby requesting a waiver of all fees as the disclosure of the requested information is in the public interest, as well as required by law, and will contribute to the public's understanding and knowledge of the Department of State Police's operations.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal and notify me of the appeal procedures available.

Lastly, please make any copies generated under this request available electronically.

Thank you,

Tom Lambert
President
Michigan Open Carry, Inc.



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR



COL. KRISTE KIBBEY ETUE
DIRECTOR

October 11, 2017

Mr. Tom Lambert
Michigan Open Carry, Inc.
P.O. Box 16184
Lansing, Michigan 48901

Subject: CR-20048219; Firearms Act Expenditures

Dear Mr. Lambert:

The Department of Michigan State Police (MSP) has received your request for records and processed it under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

Your request is granted. The records you have requested are available on the department's website at http://www.michigan.gov/msp/0,4643,7-123-1878_1591_3503_4654-77621--,00.html. If you would like a paper copy, the cost to produce these records would be \$1.79.

You can submit a check or money order made payable to the STATE OF MICHIGAN and mail to P.O. Box 30266, Lansing, MI 48909. To ensure proper credit, please enclose a copy of this letter with your payment.

Under the FOIA, Section 10 (a copy of which is enclosed) you have the right to appeal to the head of this public body or to a judicial review of the denial. Under the FOIA, Section 10a (a copy of which is enclosed), you have the right to appeal the fee to the head of this public body.

To review a copy of the department's written public summary, procedures, and guidelines, go to www.michigan.gov/msp.

Sincerely,

Lance Gackstetter
Assistant FOIA Coordinator

Enclosures (2)



MICHIGAN STATE POLICE

EXHIBIT

K

OUTSIDE LEGAL COUNSEL PLC
www.olcplc.com



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Concealed Pistol License (CPL) Reports

Annual Reports

- [2016-2017 CPL Annual Report](#)
- [2015-2016 CPL Annual Report](#)
- [2014-2015 CPL Annual Report](#)
- [2013-2014 CPL Annual Report](#)
- [2012-2013 CCW Annual Report](#)
- [2011-2012 CCW Annual Report](#)
- [2010-2011 CCW Annual Report](#)
- [2009-2010 CCW Annual Report](#)
- [2008-2009 CCW Annual Report](#)
- [2007-2008 CCW Annual Report](#)
- [2006-2007 CCW Annual Report](#)
- [2005-2006 CCW Annual Report](#)
- [2004-2005 CCW Annual Report](#)
- [2003-2004 CCW Annual Report](#)

Latest Monthly Report

- [County Report as of March 1, 2018](#)

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