



Kory Langhofer  
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**Re: Response to Public Record Request**

Dear Mr. Langhofer:

I am responding on behalf of Dominion Voting Systems, Inc. (“Dominion”)<sup>1</sup> to a July 23, 2021 letter from Senate President Karen Fann purporting to issue a “public records request” to Dominion under the Arizona Public Records Law (“the Law”), A.R.S. § 39-121 *et seq.* Dominion is not a public officer or public body and, therefore, has no obligation to make its records available for public inspection. *See* A.R.S. § 39-121 (“Public records and other matters *in the custody of any officer* shall be open to inspection by any person at all times during office hours.”) (emphasis added); *see also* A.R.S. § 39-121.01(A)(1) (“‘Officer’ means any person elected or appointed to hold any elective or appointive office of any public body.”); A.R.S. § 39-121.01(A)(2) (defining “Public Body”). Relatedly, Dominion’s privately-owned security keys and confidential passwords are not “public records” subject to disclosure under the Law. *See Salt River Pima-Maricopa Indian Community v. Rogers*, 168 Ariz. 531, 538-59 (1991) (discussing meaning of “public record” under the Law, without giving any indication that public records includes the private property of a private corporation); *see also Carlson v. Pima Cty.*, 141 Ariz. 487, 491 (1984) (even where public records are at issue, Law does not require disclosure of confidential material).

Accordingly, because the Law has no application, Dominion will not produce or allow inspection of the materials requested in Senator Fann’s July 23 letter.

Regards,

A handwritten signature in black ink, appearing to read "John Poulos", written over a horizontal line.

John Poulos  
President & CEO

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<sup>1</sup> This letter also responds on behalf of U.S. Dominion, Inc. and Dominion Voting Systems Corporation.