



**REQUEST UNDER THE GEORGIA OPEN RECORDS ACT**

February 26, 2015

Kate Wasch, Esq.  
Georgia Institute of Technology  
Compliance and Policy Management  
760 Spring Street N.W. Suite 324  
Atlanta, Georgia 30308-1028

**VIA FACSIMILE: (404) 894-3120**

Dear Custodian of Records:

The Free Market Environmental Law Clinic, together with the Energy & Environment Legal Institute, as co-requesters, respectfully submit this request for public records ("Request") pursuant to the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq.

Within three days, please produce copies of records responsive to the following Request:

1. All documents describing Georgia Tech's policy or policies relating to disclosure that apply to faculty member Marilyn Brown;
2. All records in Georgia Tech's possession relating to outside funding, grants, or other contributions made to support Marilyn Brown's work at or relating to Georgia Tech;
3. Please provide all records reflecting Marilyn Brown's sources of external funding. For purposes of this request, "outside funding" includes, but is in no way limited to, consulting fees, promotional considerations, speaking fees, honoraria, travel expenses, salary and other compensation or monies given to Marilyn Brown which did not originate with Georgia Tech itself. Please include records reflecting:
  - a. The source of funding;
  - b. The amount of funding;
  - c. The reason for receiving the funding;
  - d. For grants, a description of the research proposal and copy of the funded grant;
  - e. Communications regarding the funding.
3. All financial disclosure forms in which Marilyn Brown lists Georgia Tech or the State of Georgia as her affiliation;
4. Records reflecting Marilyn Brown's total annual compensation for each year at Georgia Tech.

Records responsive to ## 1-3 above will be dated from January 1, 2013 through the date you process this request. Records responsive to #4 will be dated from January 1, 2007 to the present.

We request copies of the above items in electronic format if available. Requesters note that providing electronic copies will minimize the Georgia Tech's administrative burdens as well as costs incurred in fulfilling this request.

Release of these records is very much in the public interest. A recent *New York Times* article highlighted relevant issues,<sup>1</sup> which Rep. Raul Grijalva, the ranking member of the U.S. House Committee on Natural Resources, asserts prompted him to send a similar request for University records regarding another faculty member, Dr. Judith Curry.<sup>2</sup>

As such, the above request likely reads quite familiarly to you. The sole distinctions between Rep. Grijalva's request and our request to Georgia Tech are, first, that we far more narrowly tailor our request (it otherwise replicates Rep. Grijalva's near verbatim); second, our request is made pursuant to statutory authority, implementing the legislature's determination that access to public records is in the best interests of the State of Georgia. We incorporate by reference Rep. Grijalva's assertions of the importance to the public interest that information of this nature be available regarding those who contribute to debate regarding this important issue. We also note that requesters have been classified as media for FOIA purposes by federal agencies and have general public policy research missions; neither of the requesters has any commercial purpose for the requested records. If Georgia Tech chooses not to assess fees for Rep. Grijalva's request, fulfillment of which is discretionary, we suggest that same courtesy should apply to a request pursuant to Georgia's Open Records Act.

Both requesters are tax-exempt, 26 U.S.C. § 501(c)(3), non-profit public interest organizations. As such, neither seeks these records for commercial purposes. Rather, we seek these records to illustrate what role any outside funding might have had in research conducted by Marilyn Brown.

---

<sup>1</sup> See, Justin Gillis and John Schwartz, "Deeper Ties to Corporate Cash for a Doubtful Climate Scientist", *New York Times*, February 21, 2015, <http://www.nytimes.com/2015/02/22/us/ties-to-corporate-cash-for-climate-change-researcher-Wei-Hock-Soon.html>.

<sup>2</sup> See e.g., "The other professors who are targets of Grijalva's letters are: David Legates of the University of Delaware; John Christy of the University of Alabama; Richard Lindzen of the Massachusetts Institute of Technology; Robert Balling of Arizona State University; and Steven Hayward of Pepperdine University." Ben Geman, "Democratic Congressman Draws Backlash Over Climate Funding Probe. Rep. Raul Grijalva wants to know if climate skeptics at several universities got industry funding. But is he engaged in a witch hunt?" *National Journal*, February 25, 2015, <http://www.nationaljournal.com/energy/democratic-congressman-draws-backlash-over-climate-funding-probe-20150225>.

If Georgia Tech declines to waive fees, and in the interests of expediting the search for responsive records and the processing of this request, we are willing to pay fees up \$200. Please provide an estimate of anticipated costs in the event that fees for processing this Request will exceed \$200. To keep costs and copying fees to a minimum, please provide copies of all responsive records in electronic format if possible.

If you have any questions please do not hesitate to contact Chris Horner, undersigned.

Respectfully submitted,



Christopher C. Horner, Esq.  
for the Free Market Environmental Law Clinic

Mailing address for productions:  
1489 Kinross Lane  
Keswick, VA 22947

\_\_\_\_\_/s/\_\_\_\_\_  
Craig Richardson  
Executive Director  
Energy & Environment  
Legal Institute  
722 12th ST NW 4th Fl  
Washington DC 20005