

# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

July 22, 2014

SENT VIA MAIL & EMAIL: [ociinformation@wisconsin.gov](mailto:ociinformation@wisconsin.gov)

Commissioner Theodore Nickel  
Wisconsin Office of the Commissioner of Insurance  
P.O. Box 7873  
Madison, WI 53707-7873

Re: Open Records Request

Dear Commissioner Nickel:

I am writing to you on behalf of the Freedom from Religion Foundation (FFRF) to request public records from the Wisconsin Office of the Commissioner of Insurance (Office). Pursuant to Wis. Stat. §§19.31-19.39, I hereby request a copy of the following:

- 1) Any records related to non-enforcement of contraceptive coverage under Wisconsin statutes by the Office. This includes:
  - a. Any Office memos, reports, plans and other records concerning *Burwell v. Hobby Lobby Stores, Inc.* and its impact on Wisconsin law or insurance requirements relating to contraceptive coverage;
  - b. Any correspondence and emails from January 1, 2014 to the present concerning Office enforcement of contraceptive coverage requirements.
- 2) Any correspondence, emails, and other records sent or received between the Office and the Office of the Governor concerning contraceptive coverage requirements.
- 3) Any correspondence, emails, and other records sent or received between the Office and Brian Sikma or Media Trackers Wisconsin.
- 4) Any records concerning the authority of the Commissioner to disregard Wisconsin statutes mandating contraceptive coverage by insurance providers.

Please be aware that under Wisconsin law, there is a “presumption of complete public access consistent with the conduct of government business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied.” See Wis. Stat. §19.31. If you choose to deny this request, please respond with a written explanation of the denial including any references to statutory exemptions or other case law upon which you rely.

If your agency does not maintain these public records, please let me know the proper custodians of these records. Please provide their names and addresses. If I can provide any clarification that will help expedite your attention to my request, please contact me at 608-256-8900. If any records are available in electronic format, they may be emailed to [Patrick@ffrf.org](mailto:Patrick@ffrf.org). Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Elliott". The signature is fluid and cursive, with the first name "Patrick" being more legible than the last name "Elliott".

Patrick Elliott  
Staff Attorney