

From: [Jeff Otis](#)
To: [Brian Garner](#)
Cc: [Tammy Wilhoite](#); [Amy Safran](#); [Kimberly Tuyn](#)
Subject: Re: March 19, 2025 Open Records Request
Date: Tuesday, April 15, 2025 4:16:31 PM

Good afternoon, Mr. Garner,

I was under the belief that Ms. Wilhoite supplemented this Open Records Response with additional call logs as they became available. I will reach out to her tomorrow and get confirmation one way or another if this is the case and follow up with you. Have a good day.

Jeffrey J. Otis
506 Foster Avenue
Florence, KY 41042
PH: 859.760.4196
objlaw@yahoo.com
Email: objlaw@yahoo.com

On Tuesday, April 15, 2025 at 03:43:29 PM EDT, Brian Garner <brian@garner-ins.com> wrote:

Jeff,

I am writing to follow up on my email dated 04/02/25, which remains unanswered. As stated previously, I have identified clear discrepancies in the records provided in response to my March 19, 2025 open records request. Specifically, multiple calls listed in one log are absent from another, indicating that the production is incomplete.

Pursuant to the Kentucky Open Records Act (KRS 61.870 to 61.884), public agencies are required to provide complete, accurate, and non-redacted records unless a specific statutory exemption applies. The omission of records—whether intentional or inadvertent—constitutes noncompliance with the Act.

Given that you are the City's designated point of contact for this matter, I again request:

- (A) An explanation for the inconsistencies in the records provided.
- (B) A complete and accurate production of all records responsive to my March 19, 2025 request.

Thank you for your time and attention.

Brian Garner
Garner Insurance Agency
859-283-5151 ext 1 phone

-----Original Message-----

From: Brian Garner
Sent: Wednesday, April 2, 2025 1:39 PM
To: objlaw@yahoo.com
Cc: Tammy Wilhoite <twilhoite@cityofunionky.org>; Amy Safran <amys@cityofunionky.org>; Kimberly Tuyn <ktuyn@cityofunionky.org>
Subject: FW: March 19, 2025 Open Records Request

Dear Jeff,

Thank you for your response. I appreciate the clarification on the City's position. I received additional records today and my review of the records provided reveals clear discrepancies. Specifically, multiple calls appear in one log but are missing from another, demonstrating that the records I received are incomplete.

As you are now the designated point of contact, I request an explanation for these inconsistencies and a complete set of records that fully satisfies my original request. The City has an obligation under Kentucky law to provide full and accurate records, and I expect compliance with that obligation.

While I acknowledge your assertion that the City has fulfilled its legal duty, the discrepancies indicate otherwise. I will be reviewing my options, including referring this matter to the Office of the Attorney General and Boone Circuit Court, should the City fail to produce the complete records.

Please confirm whether the City intends to address these concerns or maintain its position that the records are complete despite clear omissions. I look forward to your response.

Thanks,

Brian Garner
Garner Insurance Agency
859-283-5151 ext 1 phone

-----Original Message-----

From: Jeff Otis <objlaw@yahoo.com>
Sent: Wednesday, April 2, 2025 8:29 AM
To: Brian Garner <Brian@garner-ins.com>
Cc: Greg D. Voss <gvoss@vosslaw.net>
Subject: March 19, 2025 Open Records Request

Dear Mr. Garner,

I have been retained by the City of Union to handle any challenge or issue that you have with the City of Union's fulfillment of any of your open record requests that you have made or that you make in the future. With respect to your open record request dated March 19, 2025, please be advised that I am in receipt of your March 28, 2025 email to Mrs. Tammy Wilhoite "following up" on that specific open record request. Please be further advised that Mrs. Wilhoite will not be responding to the issues and/or questions that you reference in this specific email request. Mrs. Wilhoite has met her legal obligation to you and owes you no further duty in this matter.

If you have any questions about the validity and/or legality of Mrs. Wilhoite's fulfillment of your open records request dated March 19, 2025, please forward them to me at objlaw@yahoo.com. It is not appropriate for you to engage the City Clerk with what your opinion of the law is or is not. It is inappropriate for you to push your interpretation of the law upon her to get whatever it is that you want. Ultimately, it is not up to Mrs. Wilhoite to determine if your interpretation of the law is either correct, or incorrect. In the future, please address legal challenges with me as legal counsel on behalf of the City.

I appreciate that you obviously believe that the information you received as a result of your March 19, 2025 request is somehow deficient.

I assure you that it is not. It is the City's position that the fulfillment of your March 19, 2025 open record request is compliant with all governing law of the Commonwealth of Kentucky. You will not receive any additional records pursuant to the March 19, 2025 request. If you choose to continue a legal debate with the City about its fulfillment of your open record request, as is your right, please know that you may

address concerns with the Office of the Attorney General or in an action in the Boone Circuit Court.

I appreciate your time and attention to this matter and look forward to hearing from you soon.

Sincerely,

Jeffrey J. Otis
506 Foster Avenue
Florence, KY 41042
PH: 859.760.4196
Email: objlaw@yahoo.com