

# **EXHIBIT 8**

**Paul, Wendy**

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**From:** NG MI MIARNG Mailbox JAG FOIA <ng.mi.miarng.mbx.jag-foia@mail.mil>  
**Sent:** Monday, April 29, 2019 3:47 PM  
**To:** Russell, David  
**Subject:** RE: [Non-DoD Source] RE: FOIA

Good afternoon Mr. Russell,

I have submitted a helpdesk ticket to the DOD IT department that oversees the administration of military emails and text messages. This process will likely take a significant amount of time considering the time frame and detail of your request. I have obtained notes, reports, and memorandum from Mr. Laing and am currently processing these documents according to FOIA guidelines. Once I have the complete file our office will process and refer it to the National Guard Bureau JAG Office for final review. I will notify you when this referral takes place and will keep you updated on my progress. I appreciate your understanding.

Respectfully,

Austin M. DeLano  
SGT, MIARNG  
Paralegal Specialist  
Office of the Staff Judge Advocate  
Austin.m.delano.mil@mail.mil  
Office: 517-481-8100  
DSN: 623-8100  
Fax: 517-481-8102

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

**From:** Russell, David [mailto:DRussell@fosterswift.com]  
**Sent:** Monday, April 29, 2019 1:14 PM  
**To:** NG MI MIARNG Mailbox JAG FOIA <ng.mi.miarng.mbx.jag-foia@mail.mil>  
**Subject:** RE: [Non-DoD Source] RE: FOIA

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

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Mr. Delano,

It has been more than 20 days (the time allowed under the statute) since my FOIA request was submitted. Please let me know when I can expect a response.

Thank you,

Dave

David R. Russell  
Attorney  
Foster Swift Collins & Smith PC  
313 S. Washington Square  
Lansing, MI 48933  
Phone: 517.371.8150  
Fax: 517.367.7150  
drussell@fosterswift.com  
Caution-www.fosterswift.com

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

From: NG MI MIARNG Mailbox JAG FOIA [Caution-mailto:ng.mi.miarng.mbx.jag-foia@mail.mil]  
Sent: Monday, April 08, 2019 2:45 PM  
To: Russell, David  
Subject: RE: [Non-DoD Source] RE: FOIA

Acknowledged.

Respectfully,

Austin M. DeLano  
SGT, MIARNG  
Paralegal Specialist  
Office of the Staff Judge Advocate  
Austin.m.delano.mil@mail.mil  
Office: 517-481-8100  
DSN: 623-8100  
Fax: 517-481-8102

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

From: Russell, David [Caution-mailto:DRussell@fosterswift.com]  
Sent: Monday, April 8, 2019 2:14 PM  
To: NG MI MIARNG Mailbox JAG FOIA <ng.mi.miarng.mbx.jag-foia@mail.mil>  
Cc: Krueger, Warren <WKrueger@fosterswift.com>  
Subject: RE: [Non-DoD Source] RE: FOIA

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Please proceed with processing the request. Thanks.

David R. Russell  
Attorney  
Foster Swift Collins & Smith PC  
313 S. Washington Square  
Lansing, MI 48933  
Phone: 517.371.8150  
Fax: 517.367.7150  
drussell@fosterswift.com  
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-----Original Message-----

From: NG MI MIARNG Mailbox JAG FOIA [Caution-Caution-mailto:ng.mi.miarng.mbx.jag-foia@mail.mil]  
Sent: Thursday, April 04, 2019 4:26 PM  
To: Russell, David  
Cc: Krueger, Warren  
Subject: RE: [Non-DoD Source] RE: FOIA

Good afternoon,

Attached is the FOIA processing fee estimate. The total cost estimate comes to \$410.00. The Final amount could differ based on resources and hours allocated, although this should hopefully provide you with a baseline of expected fees.

Respectfully,

Austin M. DeLano  
SGT, MIARNG  
Paralegal Specialist  
Office of the Staff Judge Advocate  
Austin.m.delano.mil@mail.mil  
Office: 517-481-8100  
DSN: 623-8100  
Fax: 517-481-8102

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

From: Russell, David [Caution-Caution-mailto:DRussell@fosterswift.com]  
Sent: Monday, March 25, 2019 3:31 PM  
To: Burke, Robert R CPT USARMY NG MIARNG (USA) <robert.r.burke29.mil@mail.mil>  
Cc: Delano, Austin M SGT USARMY NG MIARNG (USA) <austin.m.delano.mil@mail.mil>  
Subject: [Non-DoD Source] RE: FOIA

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

Per your e-mail below, please find the FOIA attached. Thanks.

David R. Russell  
Attorney  
Foster Swift Collins & Smith PC  
313 S. Washington Square  
Lansing, MI 48933  
Phone: 517.371.8150  
Fax: 517.367.7150  
drussell@fosterswift.com  
Caution-Caution-Caution-www.fosterswift.com

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

From: Burke, Robert R CPT USARMY NG MIARNG (USA) [Caution-Caution-Caution-mailto:robert.r.burke29.mil@mail.mil]  
Sent: Monday, March 25, 2019 1:04 PM  
To: Russell, David  
Cc: Delano, Austin M SGT USARMY NG MIARNG (USA)  
Subject: FOIA

Mr. Russell,

Good afternoon. As discussed, you can send a request under the Federal Freedom of Information Act to this email, and we will process same on the Federal side. As also discussed, we have presented your request under the Michigan Freedom of Information Act to state operations for processing.

V/R,

ROBERT R. BURKE  
CPT, JA, MIARNG  
DEPUTY GENERAL COUNSEL  
OFFICE OF THE STAFF JUDGE ADVOCATE  
O: (517) 481-8100  
M: (517) 899-3439

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