



Mandy Teerlink <mteerlink@utah.gov>

# URGENT EXPEDITED FREE RECORDS INSPECTION REQUEST-proof of audits pertaining to PTIF, State Treasurer, OST & SMMC

Brady Eames [REDACTED]  
To: Mandy Teerlink <mteerlink@utah.gov>

Fri, Nov 3, 2023 at 4:58 PM

## URGENT EXPEDITED FREE RECORDS INSPECTION REQUEST

### Acronyms and/or Terms Used in this Urgent Expedited Request

- United States** are the fifty states which comprise the United States of America
- Utah** is the State of Utah established January 4, 1896
- State Auditor** is the elected or appointed auditor of **Utah**
- OSA** is office of the **State Auditor**
- Records Officer** is an appointed records officer of the **OSA**
- State Treasurer** is the elected or appointed treasurer of **Utah**
- OST** is the office of the **State Treasurer**
- SMMC** are the appointed members of the **Utah** State Money Management Council
- PTIF** is the Public Treasurers Investment Fund
- UC** is the **Utah** code of enacted **Utah** laws
- Governor** is the elected governor of **Utah**
- OG** is the office of the **Governor**
- Lieutenant Governor** is the elected or appointed lieutenant governor of **Utah**
- Attorney General** is the elected or appointed attorney general of **Utah**
- Legislature** are the elected or appointed senators and representatives of **Utah**
- LAG** is the **Utah** legislative auditor general
- LFA** is the **Utah** legislative fiscal analyst
- LRGC** is the **Utah** legislative research and general counsel
- LS** is the **Utah** legislative services
- BNY** is the bank of New York that is holding and custodian of the **PTIF**
- Participants** are the external or internal participant in the **PTIF**
- Commissioner** is the **Utah** commissioner of financial institutions
- DFI** is the **Utah** Department of Financial Institutions
- RIAS** is the RESOURCE Investment Accounting System
- RCR** is retention and classification report made by the **State Treasurer**

To: **OSA**  
Attn: **Mandy Teerlink-Records Officer**

Requester:  
**Brady Eames**  
Physical address: [REDACTED]  
Email address: [REDACTED]  
Daytime cell phone number: [REDACTED]

**Format of Copies: ELECTRONIC**  
**Manner of Access and Inspection: via [REDACTED]**

**Date Range of Records: January 1, 2015 to November 3, 2023**

### DESCRIPTIONS OF PUBLIC GOVERNMENT RECORDS

(1) Any and all documentation which reveals the following have requested audits performed of the **State Treasurer**, the **OST**, the **SMMC** and the **Participants** with respect to the information revealed in the **Statements of Account** which are required to be made under **UC 51-7-9**:

**Governor,**  
**any agent of the OG,**  
**Lieutenant Governor,**  
**any agent of the OLG,**  
**Attorney General,**  
**any agent of the AGO,**  
**any member of the Legislature,**  
**any agent of the LAG,**  
**any agent of the LFA,**  
**any agent of the LRGC,**  
**any agent of the LS,**  
**any agent of the BNY,**  
**any of the Participants**  
**Commissioner,**  
and  
**DFI;**

(2) The actual performed audits described above in (1).

(3) Any and all documentation which reveals the following have requested audits performed of the **State Treasurer**, the **OST**, the **SMMC** and the **Participants** with respect to the information revealed in the **Deposit and Investment Reports** which are required to be made under **UC 51-7-3**:

**Governor,**  
**any agent of the OG,**  
**Lieutenant Governor,**  
**any agent of the OLG,**  
**Attorney General,**  
**any agent of the AGO,**  
**any member of the Legislature,**  
**any agent of the LAG,**  
**any agent of the LFA,**  
**any agent of the LRGC,**  
**any agent of the LS,**  
**any agent of the BNY,**  
**any of the Participants,**  
**Commissioner,**  
and  
**DFI;**

(4) The actual performed audits described above in (3).

(5) Any and all documentation which reveals the following have requested audits performed of the **State Treasurer**, the **OST**, the **SMMC** and the **Participants** with respect to the information revealed in the "**monthly summary report by investment account**" that comes from the **BNY** and is made, retained and maintained as per **RCR Series 83205**;

**Governor,**  
**any agent of the OG,**  
**Lieutenant Governor,**  
**any agent of the OLG,**  
**Attorney General,**

**any agent of the AGO,  
any member of the Legislature,  
any agent of the LAG,  
any agent of the LFA,  
any agent of the LRGC,  
any agent of the LS,  
any agent of the BNY,  
any of the Participants,  
Commissioner,  
and  
DFI;**

**(6)** The actual performed audits described above in **(5)**.

**(7)** Any and all documentation which reveals the following have requested audits performed of the **State Treasurer**, the **OST**, the **SMMC** and the **Participants** with respect to the information revealed in the "**monthly report showing, in detail, all investments and and the accrued interest credited to each investment**" as generated by the **RIAS** and made, retained and maintained as per **RCR Series 83193**;

**Governor,  
any agent of the OG,  
Lieutenant Governor,  
any agent of the OLG,  
Attorney General,  
any agent of the AGO,  
any member of the Legislature,  
any agent of the LAG,  
any agent of the LFA,  
any agent of the LRGC,  
any agent of the LS,  
any agent of the BNY,  
any of the Participants,  
Commissioner,  
and  
DFI;**

**(8)** The actual performed audits described above in **(7)**.

**(9)** Any and all documentation which reveals the following have requested audits performed of the **State Treasurer**, the **OST**, the **SMMC** and the **Participants** with respect to the information revealed in the "**monthly report by fund, in summary form...**" with the "**included...average yield, average life and daily balance by investment**" as generated by the **RIAS** and made, retained and maintained as per **RCR Series 83196**.

**Governor,  
any agent of the OG,  
Lieutenant Governor,  
any agent of the OLG,  
Attorney General,  
any agent of the AGO,  
any member of the Legislature,  
any agent of the LAG,  
any agent of the LFA,  
any agent of the LRGC,  
any agent of the LS,**

**any agent of the BNY,  
any of the Participants;  
Commissioner,  
and  
DFI;**

**(10)** The actual performed audits described above in **(9)**.

#### **BASES FOR EXPEDITED REQUEST, RESPONSE AND INSPECTION**

**(A) 96 Participants** have *defrauded and mislead the public by misreporting* to the **State Treasurer**, the **OST** and the **SMMC** that the **PTIF** is a qualified depository holding public funds transferred to the **State Treasurer** for investment purposes.

**(B) 27 Participants** have *defrauded and mislead the public by misreporting* to the **State Treasurer**, the **OST** and the **SMMC** certain interest rates on the **PTIF**.

**(C) 1 Participant** has not reported to the **State Treasurer**, the **OST** and the **SMMC** any interest rate on the **PTIF**.

**(D)** The **State Treasurer**, the **OST** and the **SMMC** conceal the **Statements of Accounts** described above in **(1)** from public online inspection.

**(E)** The **State Treasurer**, the **OST** and the **SMMC** conceal the **Deposit and Investment Reports** described above in **(3)** from public online inspection.

**(F)** The **State Treasurer**, the **OST** and the **SMMC** conceal the **monthly reports** described above in **(5)**, **(7)** and **(9)** from public online inspection.

**(G)** The requests described above in **(1)**, **(3)**, **(5)**, **(7)** and **(9)** are not online for public inspection in the website of the **OSA**.

**(H)** The audits described above in **(2)**, **(4)**, **(6)**, **(8)** and **(10)** are not online for public inspection in the website of the **OSA**.

**(I)** On **October 31, 2023**, the **State Treasurer**, the **OST** and the **SMMC** filed with the **SRC** a petition that I'm a vexatious requester of records pertaining to the **PTIF (Petition)**.

**(J)** On **November 1, 2023**, I received notice from the Executive Secretary of the **SRC** that she has scheduled a hearing before the **SRC** with respect to the **Petition**.

and

**(K) By November 9, 2023 at the latest**, I want to be provided by the **Records Officer** a decision regarding the records described above in **(1) - (10)** in order to prepare and present to the **SRC by November 16, 2023** a statement of facts revealing that the records described above in **(1) - (10)** were or were not ever made or have or have not been destroyed. If such decision cannot be made **by November 9, 2023 at the latest**, I will be compelled to appeal to the Executive Secretary of the **SRC** that the petition hearing not be held **until and unless I receive it**.

#### **REQUEST FOR WAIVER OF FEES AND FOR FEES QUOTE**

I'm hereby requesting a waiver of any staff time fees because I believe that each of the records described above in **(1) - (10)** are vital administrative public records.

If you intend to charge me any such fees, I'm hereby requesting that, **before you search, find, compile, format, manipulate, package, summarize, tailor and send or otherwise**

**provide me the records described above in (1) - (10) you grant me the administrative courtesy of *quoting* me any applicable staff time fees albeit I've requested a *waiver* of such fees.**

**Of course, I reserve the right to exercise my right to appeal such *quote* if you deny me the fees *waiver*.**

***Please acknowledge receipt so that I know when the statute of limitations begins to run.***

Respectfully requested,  
BRADY EAMES