

July 6, 2023

**\*CONFIDENTIAL\***

*Via mail and email*

Representative Jason Dockter  
In Care of Attorney Lloyd Suhr

[REDACTED]  
lsuhr@smlawnd.com

Re: Complaint Nos. 22-003 – 22-010 Request for Information

Dear Representative Dockter:

On April 10, 2023, you informed the Ethics Commission you declined informal resolution of the complaints made against you which allege ethical violations regarding the lease and renovation of the building located at 1720 Burlington Drive, Bismarck, North Dakota. You have elected instead to proceed with an investigation according to N.D.A.C. §115-02-01-06.

The determination has been made that this matter falls within the jurisdiction of the Ethics Commission and contains sufficient information to believe that violations have occurred. Therefore, under N.D.A.C. §115-02-01-04, you are entitled to receive the complaints made against you or a written summary of the complaints. The ethics commission is not authorized to release the names and addresses of the complainants without their consent. Copies of all complaints made against you are attached to this letter. The identities of those complainants who wished to remain confidential have been redacted.

As noted above, the investigation into these complaints will proceed at this time. In accordance, with N.D.A.C. § 115-02-01-06 the North Dakota Ethics Commission respectfully requests information from you to investigate the complaints filed with the Commission. The Commission requests you produce all documents, in your possession, to the extent they have not already been produced **by you** to the Office of the State Auditor in response to its investigation report dated September 27, 2022, of space leased by the North Dakota Attorney General's Office and renovation of the building located at 1720 Burlington Drive, Bismarck, North Dakota.

For purposes of this request, "document" means any written, electronic, recorded, or graphic material of any kind, whether prepared by you or any other person which is in your possession, custody, or control.

The Ethics Commission specifically requests you produce:

1. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and the following:
  - Wayne Stenhjem, former Attorney General
  - Lonnie Grabowska, Division Director, Bureau of Criminal Investigation;
  - Troy Seibel, former Chief Deputy Attorney General;
  - Heidi Smith, CJIS Director;
  - Doug Nelson, State Fire Marshal;
  - John Boyle, Director of Facility Management;
  - Liz Bocker, Administrative Assistant;
  - Becky Keller, Accountant;
  - Tasha Gerding, Accountant;
  - Claire Ness, Deputy Attorney General;
  - Parrell Grossman, Consumer Protection and Antitrust Division Director;
  - Or any other personnel from the Office of the Attorney General, Office of Management and Budget, and/or other State agency regarding the building located at 1720 Burlington Drive, Bismarck, North Dakota (hereinafter "the Subject Property").
2. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and all contractors, subcontractors, vendors, suppliers, and anyone else involved in the remodel and construction of the Subject Property.
3. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and those individuals involved in negotiating the lease agreement for the Subject Property.
4. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and those individuals, including all realtors or brokers, who were involved in locating suitable space for the North Dakota Attorney General's offices.
5. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and all individuals involved in discussions relating to the purchase of the Subject Property including but not limited to all realtors, brokers, prospective purchasers, and final purchasers.

6. All communications, including but not limited to, email messages, text messages, memoranda, notes, letters, and any other form of communication between you and/or your agents and all individuals from the Office of the Attorney General relating to the improvements and plan changes requested by the Attorney General or his agents to the construction and/or remodel of the subject property.
7. Produce copies of all email correspondence between representatives of the Attorney General's office and you and/or your agents concerning the subject matter addressed in request No. 6 above which relate to the improvements and plan changes requested by the Attorney General to the construction and/or remodel of the Subject Property.
8. Produce copies of all documents that you contend put the Attorney General on notice that the costs of the construction and/or remodel project of the Subject Property had exceeded the original estimates.
9. Produce copies of all documents and/or "change orders" approved by the Office of the Attorney General or agents giving approval to the improvements and plan changes requested by the Attorney General or his agents to the construction and/or remodel of the Subject Property.

Pursuant to N.D.C.C. § 54-66-12(1), this request for information is a confidential record as defined in N.D.C.C. § 44-04-17.1. If you have questions or concerns regarding our request, please do not hesitate to contact me. Please reach out to our office to coordinate receipt of the above-requested documents. These documents must be received in my office by August 11, 2023.

Sincerely,



Rebecca Binstock  
Executive Director  
North Dakota Ethics Commission