

To: File

From: Logan Carpenter, General Counsel

Date: October 3, 2023

Re: September 29, 2023 and October 3, 2023 Calls with Mary Kae Kelsch

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On September 29, 2023, I received a phone call from Assistant Attorney General Mary Kae Kelsch regarding the interviews the Commission intended to schedule for Becky Keller and Lonnie Grabowska. Ms. Kelsch informed me since the Montana Department of Justice released its report on the matter, the attorney general had referred it to Grand Forks County State's Attorney Haley Wamstad. Ms. Kelsch wondered about the status of the interviews given this information. I informed her I would get back to her once we considered this new information.

Commission staff considered the information and decided to reach out to Ms. Wamstad to gather more information regarding her review. Executive Assistant Huizenga reached out to Ms. Wamstad. After some additional email discussion between Executive Director Binstock and Ms. Wamstad, we learned the matter had not formally been referred. Ms. Wamstad informed us she had spoken with Ms. Kelsch, and Ms. Kelsch had not realized the attorney general did not reach out to Ms. Wamstad for the referral.

I called Ms. Kelsch on October 3, 2023, and she also informed me she had spoken with Ms. Wamstad and had not realized the matter was not yet referred. She had additional information that Representative Emily O'Brien, Chair of the Legislative Audit and Fiscal Review Committee ("LAFRC") had requested the attorney general not refer the matter until LAFRC had a chance to review and discuss the Montana Report. Ms. Kelsch did not know when this would occur and LAFRC does not currently have any meetings scheduled.

I informed Ms. Kelsch the Commission is moving forward with its investigation and would like to schedule the interviews. She told me she did not think scheduling those interviews within the time frames relayed in the initial message to the individuals would be a problem. She said she would let Ms. Keller and Mr. Grabowska know what the Commission would like to do.