

Fight to see records continues

Group seeks court's aid in gaining access without city's retaliation

By **Sandy Hodson** | *Staff Writer*

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A local watchdog group said in court documents filed Friday that the Augusta government is trying to punish it for seeking public records, and the group will fight back.

The Association for Fair Government filed notice Friday of its intention to invoke the state's Anti-SLAPP (Strategic Lawsuit Against Public Participation) statute. The law was enacted in 1996 to prevent retaliatory suits intended to silence, intimidate or punish those who speak out about matters of public interest or concern.

The fair government association filed a petition in October, asking the Richmond County Superior Court to force the city's procurement department to comply with the Open Records Act.

The Augusta Chronicle joined the complaint with allegations that requests to review public records have been met with unreasonable delays, costs and conditions.

Last week, the city's attorneys filed a counterclaim against the association, claiming the group has acted in bad faith with malicious intent. It sought compensatory and punitive damages. The city attorneys also informed the association's lawyer, Robert Mullins, that he cannot speak to commissioners.

The association's motion filed Friday follows a second counterclaim, this one filed Dec. 21 on behalf of commission clerk Lena J. Bonner, by private attorney Benjamin Allen. Accusing Ms. Bonner of wrongdoing was an act of bad faith and misconduct, according to the counterclaim.

On Friday, the association also filed a motion alleging Mr. Allen has no standing to represent Ms. Bonner. Unless the city commission has authorized Mr. Allen to represent the commission clerk, Mr. Allen cannot act as a city attorney, the association's lawyer, Mr. Mullins, claimed.

Ms. Bonner, as the commission clerk, was added to the lawsuit when the association alleged commission documents available on the city's Web page had been altered.

The city says any problem viewing the documents was caused by a computer glitch that was corrected.

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