

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PUBLIC RECORD MEDIA,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Civil Action No. 17-cv-00142 (RC)

ANSWER

Defendant Office of Information Policy, Department of Justice, hereby answers the numbered paragraphs of Plaintiff's Complaint as follows. Defendant denies that Plaintiff is entitled to any relief.

1. This paragraph contains Plaintiff's characterization of this action, to which no response is required.

2. This paragraph contains Plaintiff's requested relief, to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations contained in the prayer for relief and further avers that Plaintiff is not entitled to the requested relief or any other relief.

3. This paragraph consists of Plaintiff's legal conclusions regarding jurisdiction and venue, to which no response is required.

4. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in this paragraph.

5. Sentences one and two are admitted. The third sentence contains argument and conclusions of law, not allegations of fact, and thus no response is required.

6. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

7. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

8. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

9. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

10. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

11. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

12. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required.

13. Defendant admits that it received a FOIA request from Plaintiff dated June 21, 2013, which was received by the Office of Information Policy (OIP) on July 1, 2013. Defendant respectfully refers the Court to that request for a complete and accurate statement of its contents. See Compl., Ex. A.

14. Defendant admits that Plaintiff sent additional correspondence to Defendant dated July 8, 2013, which was received by OIP on July 16, 2013, and respectfully refers the Court to that correspondence for a complete and accurate statement of its contents. See Compl., Ex. B.

15. Defendant admits that it acknowledged Plaintiff's FOIA request in a letter dated and emailed to Plaintiff on July 30, 2013 and assigned that request a tracking number. Defendant respectfully refers the Court to that letter for a complete and accurate statement of its contents.

See Compl., Ex. C. Defendant further avers that the July 30, 2013 letter was sent to the email address Plaintiff had provided in its initial request submission. *See* Ex. A, attached hereto.

16. Defendant admits that an attorney with OIP, Aleksandr Podolsky, sent Plaintiff an email dated August 5, 2015 concerning Plaintiff's FOIA request. Defendant respectfully refers the Court to that letter for a complete and accurate statement of its contents. *See* Compl., Ex. D.

17. Admitted.

18. Sentence one is denied. Defendant made a final determination regarding Plaintiff's FOIA request on October 27, 2016, documentation of which is attached as Exhibit B hereto. This final determination, indicating that no responsive records were found, is attached as Exhibit C hereto. In that correspondence, Defendant also provided details regarding the searches conducted, suggesting additional potentially relevant points of contact at other federal agencies, and offered links to pertinent publicly available information. *See* Ex. C. Defendant sent this final determination to Plaintiff via email using the same email address to which Defendant's July 30, 2013 acknowledgment letter had been sent. *Cf.* Compl., Ex. C. Sentence two contains argument and conclusions of law, not allegations of fact, and thus no response is required.

The remaining paragraphs of the Complaint contain Plaintiff's requested relief, to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations contained in the prayer for relief and further avers that Plaintiff is not entitled to the requested relief or any other relief. Defendant denies each allegation of the Complaint not otherwise responded to.

WHEREFORE, Defendant respectfully requests that the Court enter judgment dismissing this action with prejudice and awarding Defendant costs and such other relief as the Court may deem appropriate.

Dated: March 1, 2017

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Director

/s/ Caroline Anderson

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2017, I filed the foregoing document with the Clerk of Court via the CM/ECF system, causing it to be served electronically on Plaintiff's counsel of record.

/s/ Caroline Anderson
CAROLINE J. ANDERSON