

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

CAMPAIGN LEGAL CENTER,	)	
	)	
	)	
Plaintiff,	)	
v.	)	Case No. 18-cv-1771 (TSC)
	)	
U.S. DEPARTMENT OF JUSTICE,	)	
	)	
	)	
Defendant.	)	
_____	)	

**ANSWER**

Defendant, the United States Department of Justice (“DOJ”), by and through the undersigned counsel, hereby answers the Complaint in the above-captioned action using the same paragraph numeration. Any allegation not specifically admitted herein is denied.

1. This paragraph contains Plaintiff’s characterization of its lawsuit to which no response is required. To the extent a response may be deemed required, Defendant admits that Plaintiff’s action purports to allege a claim under the Freedom of Information Act (“FOIA”).

**JURISDICTION AND VENUE**

2. This paragraph contains conclusions of law to which no response is required. To the extent a response is deemed required, Defendant admits this Court has jurisdiction, subject to the terms and conditions of the FOIA, that this Court has personal jurisdiction over Defendant, and that this Court is a proper venue for actions under the FOIA.

**PARTIES**

3. This paragraph sets forth Plaintiff’s characterizations and opinions regarding its organization and mission to which no response is required. To the extent a response is deemed

required, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 3.

4. Admit the allegations in the first and second sentences. The third sentence contains only a conclusion of law to which no response is required.

#### **STATEMENT OF FACTS**

5. Admit that, by letter dated February 1, 2018, Plaintiff requested records from DOJ under the FOIA. The remainder of this paragraph contains only characterizations of that letter, which speaks for itself and to which no response is required.

6. This paragraphs contains only characterizations of the letter described in the preceding paragraph, which speaks for itself and to which no response is required.

7. The Department lacks information sufficient to admit or deny Plaintiff's reasons for seeking expedited processing of its FOIA requests, as alleged in this paragraph. The remainder of the paragraph contains only characterizations of the letter described in paragraph 5, which speaks for itself and to which no response is required.

8. This paragraph sets forth Plaintiff's beliefs and opinions to which no response is required. To the extent a response is deemed required, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 8.

9. Defendant admits that on February 9, 2018, OIP<sup>1</sup> sent Plaintiff the referenced acknowledgement letter. Defendant respectfully refers the Court to the letter for a full and

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<sup>1</sup> OIP's Initial Request Staff is responsible for processing FOIA requests for records within OIP and from six senior leadership offices of the Department of Justice, specifically the Offices of the Attorney General (OAG), the Deputy Attorney General (ODAG), and the Associate Attorney General (OASG), and the Offices of Legislative Affairs (OLA), Legal Policy (OLP), and Public Affairs (PAO).

accurate statement of its contents.

10. Deny that Plaintiff did not receive any further communication from Defendant prior to Plaintiff sending a letter dated May 18, 2018. Defendant further avers that on April 18, 2018 and May 16, 2018, an Attorney-Advisor emailed Plaintiff with updates on the status of Plaintiff's FOIA request. On April 27, 2018, Plaintiff replied to the April 18, 2018 email. On May 16, 2018, Plaintiff replied to the May 16, 2018 email. Admit that OIP received a letter dated May 18, 2018, and Defendant respectfully refers the Court to the letter for a full and accurate statement of its contents.

11. Admit that OIP received a letter dated June 22, 2018, and Defendant respectfully refers the Court to the letter for a full and accurate statement of its contents.

12. Deny that OIP contacted Plaintiff on June 28, 2018, and aver that OIP contacted Plaintiff via email on June 27, 2018. The remainder of the first sentence consists of only characterizations of the email, which speaks for itself and to which no response is required. Admit that OIP contacted Plaintiff via email on July 6, 2018. The remainder of the second sentence consists of only characterizations of the email, which speaks for itself and to which no response is required.

13. This paragraph contains conclusions of law to which no response is required.

14. This paragraph contains conclusions of law to which no response is required.

15. Admit that the DOJ Justice Management Division ("JMD") granted Plaintiff's request for expedited processing. Admit that JMD discussed the status of the request with Plaintiff in phone calls on April 26 and May 31, 2018.

16. Admit that Plaintiff sent the described letter to JMD on June 22, 2018.

17. Admit.
18. Paragraph 18 contains conclusions of law to which no response is required.
19. Paragraph 19 contains conclusions of law to which no response is required.

### **CAUSE OF ACTION**

#### **(Violation of FOIA for Wrongful Withholding of Agency Records)**

20. Defendant restates its responses to paragraphs 1-19 as if fully stated herein.
21. This paragraph contains conclusions of law to which no response is required.
22. This paragraph contains conclusions of law to which no response is required.
23. This paragraph contains conclusions of law to which no response is required.
24. This paragraph contains conclusions of law to which no response is required.

The remaining paragraph of the Complaint contains Plaintiff's request for relief to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations contained in that paragraph and further avers that Plaintiff is not entitled to any relief in this action.

### **AFFIRMATIVE DEFENSES**

1. Plaintiff is not entitled to the release of information that is subject to any exemption under the Freedom of Information Act, 5 U.S.C. § 552.

Respectfully submitted,

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/s/  
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