

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
CITIZENS FOR RESPONSIBILITY)	
AND ETHICS IN WASHINGTON,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No. 21-cv-2690-ABJ
)	
U.S. DEPARTMENT OF JUSTICE)	
)	
)	
<i>Defendant.</i>)	
_____)	

ANSWER

Defendant, the U.S. Department of Justice (“DOJ”), hereby answers the Complaint (ECF No. 1) (“Complaint”) filed by Plaintiff Citizens for Responsibility and Ethics in Washington (“CREW”) on October 14, 2021, in this Freedom of Information Act (“FOIA”) action as follows, in correspondingly numbered paragraphs:

1. This paragraph sets forth Plaintiff’s characterization of this lawsuit and legal conclusions, to which no response is required.
2. This paragraph sets forth Plaintiff’s characterization of this lawsuit and requests for relief, to which no response is required.
3. This paragraph consists of Plaintiff’s legal conclusions regarding jurisdiction, to which no response is required.
4. This paragraph consists of Plaintiff’s legal conclusion regarding venue, to which no response is required.

5. This paragraph consists of Plaintiff's characterization of itself and its work, to which no response is required and about which Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations.

6. Admitted that DOJ is an agency of the federal government and that the Office of Information Policy ("OIP") is a component of DOJ. The remaining allegations consist of Plaintiff's legal conclusions, to which no response is required.

7. This paragraph consists of Plaintiff's legal conclusions and characterization of the cited statute, to which no response is required. To the extent a response is required, Defendant respectfully refers the Court to the cited statute for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

8. This paragraph consists of Plaintiff's legal conclusions and characterization of the cited statute, to which no response is required. To the extent a response is required, Defendant respectfully refers the Court to the cited statute for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

9. This paragraph consists of Plaintiff's legal conclusions and characterization of the cited statute, to which no response is required. To the extent a response is required, Defendant respectfully refers the Court to the cited statute for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

10. This paragraph consists of Plaintiff's legal conclusions and characterization of the cited statute, to which no response is required. To the extent a response is required, Defendant respectfully refers the Court to the cited statute for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

11. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required. Defendant respectfully refers the Court to the cited articles, which are the best evidence of their contents.

12. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required. Defendant respectfully refers the Court to the cited articles, which are the best evidence of their contents.

13. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required. The allegations of this paragraph include Plaintiff's argument, to which no response is required. Defendant respectfully refers the Court to the cited article, which is the best evidence of its contents.

14. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required. Defendant respectfully refers the Court to the cited article, which is the best evidence of its contents.

15. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required. Defendant respectfully refers the Court to the cited article, which is the best evidence of its contents.

16. The allegations in this paragraph do not set forth a claim for relief or facts in support of a claim to which an answer is required.

17. Admitted that CREW submitted a FOIA request to OIP on July 6, 2021. Defendant respectfully refers the Court to the cited request for a full and accurate statement of its contents, and denies any allegations inconsistent therewith. The remaining allegations constitute Plaintiff's characterization of its claims, to which no response is required.

18. Admitted. Defendant respectfully refers the Court to the cited request, which is the best evidence of its contents.

19. Admitted that OIP sent an acknowledgement letter dated August 4, 2021. Defendant respectfully refers the Court to the cited document for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

20. Admitted.

21. Defendant incorporates by reference its responses to paragraphs 1-20.

22. This paragraph consists of Plaintiff's legal conclusions, to which no response is required.

23. This paragraph consists of Plaintiff's legal conclusions, to which no response is required.

24. This paragraph consists of Plaintiff's legal conclusions, to which no response is required.

25. This paragraph consists of Plaintiff's legal conclusions, to which no response is required.

26. This paragraph consists of Plaintiff's legal conclusions, to which no response is required.

27. This paragraph consists of Plaintiff's legal conclusions and request for relief, to which no response is required.

The remaining paragraphs of the Complaint consist of Plaintiff's request for relief, to which no response is required. To the extent a response is required, Defendant denies that Plaintiff is entitled to any of the relief requested in paragraphs (1) through (6) of the Requested Relief, or to any other relief.

Defendant hereby denies all allegations in the Complaint not expressly admitted or denied.

DEFENSES

1. Plaintiff is not entitled to compel production of records exempt from disclosure by one or more exemptions to the FOIA, 5 U.S.C. § 552.

2. The Court lacks jurisdiction to award any requested relief that exceeds the relief authorized by the FOIA, 5 U.S.C. § 552.

Dated: November 19, 2021

Respectfully submitted,

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ELIZABETH J. SHAPIRO
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/s/ Amber Richer
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2021, I electronically transmitted the foregoing to the parties and the clerk of court for the United States District Court for the District of Columbia using the CM/ECF filing system.

/s/ Amber Richer
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