

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

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, 1101 K St. NW, Suite 201 Washington, DC 20005	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:19-cv-3104-RC
	)	
U.S. DEPARTMENT OF JUSTICE, 950 Pennsylvania Avenue NW Washington, DC 20530	)	
	)	
Defendant.	)	
	)	

**DEFENDANT’S ANSWER TO PLAINTIFF’S COMPLAINT  
FOR DECLARATORY AND INJUNCTIVE RELIEF**

Defendant United States Department of Justice (Defendant or DOJ) hereby answers the numbered paragraphs of Plaintiff’s Complaint, ECF No. 1, in this action.<sup>1</sup>

1. This paragraph contains Plaintiff’s characterization of its Complaint and this lawsuit, to which no response is required.

2. This paragraph contains Plaintiff’s characterization of its Complaint and this lawsuit, to which no response is required.

3. The allegations in this paragraph consist of legal conclusions regarding jurisdiction and venue, to which no response is required.

4. Defendant lacks knowledge or information sufficient to form a belief as to the truth of

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<sup>1</sup> Plaintiffs titled their complaint “First Amended Complaint for Injunctive and Declaratory Relief.” But there is only one complaint filed in the docket. Thus, Defendant assumes that Plaintiff inadvertently titled the complaint “first amended complaint.”

the allegations in this paragraph.

5. Defendant admits that it is an agency within the meaning of 5 U.S.C. § 552(f) and 5 U.S.C. § 701. The remaining allegations in this paragraph consist of legal conclusions, to which no response is required.

6. The allegations in this paragraph consist of legal conclusions, to which no response is required.

7. The allegations in this paragraph consist of legal conclusions, to which no response is required.

8. The allegations in this paragraph consist of legal conclusions, to which no response is required.

9. The allegations in this paragraph characterize news stories and tweets, to which no response is required. Defendant respectfully refers the Court to those news stories and tweets for a full and accurate statement of their contents.

10. The allegations in this paragraph characterize news stories, to which no response is required. Defendant respectfully refers the Court to those news stories for a full and accurate statement of their contents.

11. The allegations in this paragraph characterize correspondence and tweets, to which no response is required. Defendant respectfully refers the Court to those news stories for a full and accurate statement of their contents.

12. The allegations in this paragraph consist of Plaintiff's characterization of a letter dated July 17, 2019, that was allegedly sent from OIP to "Austin Evers, American Oversight." Defendant was unable to open the hyperlink in Plaintiff's Complaint and thus could not confirm the contents of this supposed letter from OIP. Defendant thus lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

13. Defendant admits that OIP received a FOIA request, dated June 7, 2019, from Plaintiff. Defendant respectfully refers the Court to Plaintiff's referenced FOIA request for a full and accurate statement of its contents.

14. The allegation in this paragraph consists of Plaintiff's characterization of the FOIA request it submitted to OIP, to which no response is required. Defendant respectfully refers the Court to the referenced FOIA request for a full and accurate statement of its contents.

15. Defendant admits that OIP acknowledged receipt of Plaintiff's FOIA request by letter dated June 17, 2019, and respectfully refers the Court to OIP's letter dated June 17, 2019, for a full and accurate statement of its contents.

16. Defendant admits that it has not provided a final response to Plaintiff's FOIA request.

17. This paragraph repeats and re-alleges the allegations in paragraphs 1–16.

18. The allegations in this paragraph consist of legal conclusions, to which no response is required.

19. The allegations in this paragraph consist of legal conclusions, to which no response is required.

20. The allegations in this paragraph consist of legal conclusions, to which no response is required.

21. The allegations in this paragraph consist of legal conclusions, to which no response is required.

The remaining paragraphs of the Complaint contain Plaintiff's requested relief, to which no response is required.

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

**DEFENSES**

**FIRST DEFENSE**

Plaintiff is not entitled to information that is exempt from disclosure under the FOIA.

**SECOND DEFENSE**

Plaintiff is not entitled to relief beyond what the FOIA provides.

WHEREFORE, having fully answered the Complaint, Defendant asserts that Plaintiff is not entitled to the requested relief and respectfully asks that the Court enter judgment dismissing this action with prejudice and awarding Defendant such further relief as the Court may deem appropriate.

DATED: November 22, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Director, Federal Programs Branch

*/s/ Bradley Craigmyle*  
BRADLEY CRAIGMYLE  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W., Room 11216  
Washington, D.C. 20005  
Telephone: (202) 616-8101  
Facsimile: (202) 616-8460

*Counsel for Defendant*