

5. Admitted that DOJ is an agency of the federal government and that the Office of Legal Counsel (“OLC”) is a component of DOJ. The remaining allegations consist of Plaintiff’s legal conclusions, to which no response is required.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

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.

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.

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.

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.

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.

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. 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.

18. 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.

19. 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.

20. 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.

21. Admitted that CREW submitted a FOIA request to DOJ on August 2, 2021. Defendant respectfully refers the Court to that request for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

22. Admitted. Defendant respectfully refers the Court to the cited request for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

23. Admitted that DOJ acknowledged receipt of the request. Defendant respectfully refers the Court to that correspondence for a full and accurate statement of its contents, and denies any allegations inconsistent therewith.

24. Admitted.

25. The allegations in this paragraph consist of Plaintiff's legal conclusions, to which no response is required.

26. Defendant incorporates by reference its responses to paragraphs 1-25.

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

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

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

30. This paragraph consists of Plaintiff's legal conclusions and request for relief, to which no response is required. To the extent a response is required, Defendant denies that Plaintiff is entitled to the requested relief.

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.

Dated: December 3, 2021

Respectfully submitted,

BRIAN D. NETTER
Deputy Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director
Federal Programs Branch

/s/ Amber Richer
AMBER RICHER (CA Bar No. 253918)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20530
Tel: (202) 514-3489
Email: amber.richer@usdoj.gov

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on December 3, 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
AMBER RICHER (CA Bar No. 253918)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20530
Tel: (202) 514-3489
Email: amber.richer@usdoj.gov