

6. Defendant admits the allegations in the first and second sentences of this paragraph. The allegations in the third sentence constitute conclusions of law to which no response is required.

7-11. Defendant admits that on June 7, 2021, Deputy Attorney General Lisa Monaco issued a memorandum pertaining to the use of body-worn cameras. Defendant respectfully refers the Court to that memorandum for a complete and accurate statement of its contents.

12. Defendant admits that Plaintiff submitted FOIA requests on September 13, 2021 to the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), the Drug Enforcement Administration (“DEA”), the Federal Bureau of Investigation (“FBI”), and the U.S. Marshals Service (“USMS”). Defendant lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph.

13. Defendant admits that Plaintiff submitted FOIA requests on September 13, 2021 to ATF, DEA, FBI, and USMS. Defendant respectfully refers the Court to the requests for a complete and accurate statement of their respective contents.

14. Admitted.

15. Admitted.

16. DEA admits only that it sent a letter to Plaintiff on September 20, 2021, acknowledging receipt and assigning a tracking number, and further stating, *inter alia*, that it had determined that certain portions of the request did not reasonably describe the records sought, and that due to unusual circumstances, the agency was invoking a statutory extension. DEA respectfully refers the Court to that response for a complete and accurate statement of its contents.

17. DEA admits that it received an email from Plaintiff on September 24, 2021 in which Plaintiff stated its disagreement with DEA’s position, and denies the remainder of the allegations in this paragraph. DEA respectfully refers the Court to that email for a complete and accurate statement of its contents.

18. DEA admits that it sent an email to Plaintiff on September 27, 2021 stating, *inter alia*, that it would proceed with a search for records. DEA respectfully refers the Court to that email for a complete and accurate statement of its contents.

19. Admitted.

20. FBI admits that it sent a letter to Plaintiff on September 28, 2021 stating, *inter alia*, that a particular portion of Plaintiff's request did not reasonably describe the records sought, and that FBI was therefore closing that portion of the request. FBI respectfully refers the Court to that letter for a complete and accurate statement of its contents.

21. Admitted.

22. USMS admits that it sent Plaintiff a letter dated September 22, 2021, stating, *inter alia*, that certain portions of its FOIA request did not reasonably describe the records sought and requested clarification. USMS respectfully refers the Court to that letter for a complete and accurate statement of its contents.

23. USMS admits that it received an email from Plaintiff on October 8, 2021 in which Plaintiff stated its disagreement with USMS's position, and denies the remainder of the allegations in this paragraph. USMS respectfully refers the Court to that email for a complete and accurate statement of its contents.

24. USMS admits that it sent an email to Plaintiff on October 14, 2021 stating, *inter alia*, that that it would proceed with its search for records. USMS respectfully refers the Court to that email for a complete and accurate statement of its contents.

25. Denied.

26. Defendant asserts and incorporates their responses to paragraphs 1 through 25 as if fully stated herein.

27. ATF admits that Plaintiff submitted a FOIA request on September 13, 2021, and that ATF is a law enforcement component of DOJ. The remaining allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

28. DEA admits that Plaintiff submitted a FOIA request on September 13, 2021, and that DEA is a law enforcement component of DOJ. The remaining allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

29. FBI admits that Plaintiff submitted a FOIA request on September 13, 2021, and that FBI is a law enforcement component of DOJ. The remaining allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

30. USMS admits that Plaintiff submitted a FOIA request on September 13, 2021, and that USMS is a law enforcement component of DOJ. The remaining allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

31. The allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

32. The allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

33. The allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

34. The allegations in this paragraph constitute conclusions of law to which no response is required. To the extent a response is deemed required, denied.

The remainder of the Complaint sets forth Plaintiff's requested relief to which no response is required. To the extent a response is deemed necessary, Defendant denies that Plaintiff is entitled to the relief requested or to any relief whatsoever.

Defendant further denies all allegations in Plaintiff's Complaint not expressly admitted or denied.

AFFIRMATIVE DEFENSE

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

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

_____/s/
Antonia Konkoly
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
(202) 514-2395 (direct)
(202) 616-8470
antonia.konkoly@usdoj.gov

Counsel for the Defendant

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