



1801 L Street NW, Washington, DC 20036

RE: FOIA Request #CFPB-2012-010

January 30, 2012

Lisette Garcia  
Judicial Watch  
425 Third Street, S.W.  
Suite 800  
Washington, D.C. 20024

Dear Ms. Garcia:

This letter is an interim response to your Freedom of Information Act (FOIA) request dated October 19, 2011. Your request sought all communications and records of communications to and from Carter Dougherty, Shahien Nasiripour, Brady Dennis, Maya Jackson Randall, and Mark Calabria.

With respect to our records search, the parameters described in the request produced over 44,000 potentially responsive pages. On November 17, 2011, you were contacted by Mr. William Holzerland to update you on the status of your request and inform you of the voluminous page count associated with your request. During that discussion, it was settled upon to exclude Maya Jackson Randall and Mark Calabria from the request as well as extract all CFPB-issued press releases that did not contain subsequent comments from CFPB personnel after the initial release. As for press releases that contained subsequent comments, the press release and the comments were included but duplicate copies of the identical press releases were extracted.

Attached to this letter, please find our interim response to your request, which consists of 346 pages granted in part. These responsive pages are the result of redefining the search parameters detailed on November 17, 2011 as well as the measures detailed in the above paragraph. Portions of these records are redacted pursuant to 5 U.S.C. § 552(b)(5) and (b)(6).

**FOIA Exemption 5** protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, I determined that portions of the responsive documents qualify for protection under the **Deliberative Process Privilege**. The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The

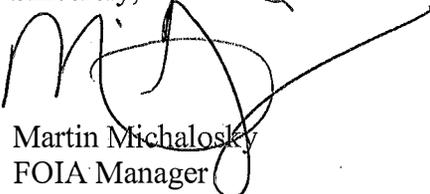
release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

**FOIA Exemption 6** exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The information that was withheld encompassed personal email addresses and telephone numbers. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

Your appeal rights will be provided in our final response to your FOIA request.

For inquiries concerning your request, please contact Ms. Dominique Banks, by phone at (202) 435-7359 and reference the FOIA request number above. If you are unable to reach Ms. Banks, please feel free to contact CFPB's FOIA Service Center by email at [CFPB\\_FOIA@cfpb.gov](mailto:CFPB_FOIA@cfpb.gov) or by telephone at 1-855-444-FOIA (3642).

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Michalosky', with a long horizontal stroke extending to the right.

Martin Michalosky  
FOIA Manager  
Office of Records, Privacy & FOIA