

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

JUDICIAL WATCH, INC.,)	
425 Third Street, S.W., Suite 800)	
Washington, DC 20024,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	
)	
U.S. DEPARTMENT OF JUSTICE,)	
950 Pennsylvania Avenue, N.W.)	
Washington, DC 20530-0001,)	
)	
Defendant.)	
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COMPLAINT

Plaintiff Judicial Watch, Inc. brings this action against Defendant U.S. Department of Justice to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552. As grounds therefor, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization incorporated under the laws of the District of Columbia and headquartered at 425 Third Street SW, Suite 800, Washington, DC 20024. Plaintiff seeks to promote transparency, accountability, and integrity in government and fidelity to the rule of law. As part of its mission, Plaintiff regularly requests records from federal agencies pursuant to FOIA. Plaintiff analyzes the

responses and disseminates its findings and the requested records to the American public to inform them about “what their government is up to.”

4. Defendant U.S. Department of Justice is an agency of the United States Government. Defendant has possession, custody, and control of records to which Plaintiff seeks access. Defendant is headquartered at 950 Pennsylvania Avenue, N.W., Washington, DC 20530-0001.

STATEMENT OF FACTS

5. On March 19, 2018, Plaintiff submitted a FOIA request to the FBI, a component of Defendant, seeking the following records:

-- Any and all records reflecting expenses incurred by, and disbursements of funds for, the security detail for Special Counsel Robert Mueller.

-- Any and all logs maintained by the security detail assigned to Special Counsel Robert Mueller.

The time frame of the request was given as between May 17, 2017 to March 19, 2018.

6. By letter dated April 3, 2018, the FBI acknowledged receiving Plaintiff’s FOIA request and assigned it FOIPA Request Number 1401169-000.

7. By letter dated May 24, 2018, the FBI denied Plaintiff’s request.

8. By letter dated May 29, 2018, Plaintiff submitted a timely appeal of the FBI’s denial of Plaintiff’s request.

9. By letter dated September 19, 2018, the FBI denied Plaintiff’s appeal. Plaintiff has therefore exhausted its administrative remedies with respect to its March 19, 2018 request.

10. As of the date of this Complaint, the FBI has failed to: (i) produce the requested records or demonstrate that the requested records are lawfully exempt from production, and (ii)

notify Plaintiff of the scope of any responsive records Defendant intends to produce or withhold and the reasons for any withholdings.

COUNT I
(Violation of FOIA, 5 U.S.C. § 552)

11. Plaintiff realleges paragraphs 1 through 10 as if fully stated herein.

12. Plaintiff is being irreparably harmed by Defendant's violation of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with it.

13. Because Defendant denied Plaintiff's FOIA request and its May 29, 2018 appeal, Plaintiff is deemed to have exhausted its administrative appeal remedies. 5 U.S.C. § 552(a)(6)(A)(ii).

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to conduct a search for any and all records responsive to Plaintiff's FOIA request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's FOIA request; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's FOIA request and a *Vaughn* index of any responsive records withheld under claim of exemption; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to Plaintiff's FOIA request; (4) grant Plaintiff an award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. §552(a)(4)(E); and (5) grant Plaintiff such other relief as the Court deems just and proper.

Dated: November 2, 2018

Respectfully submitted,

/s/ Jason B. Aldrich

Jason B. Aldrich (D.C. Bar No.
495488) JUDICIAL WATCH, INC.

Counsel for Plaintiff