

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

JUDICIAL WATCH, INC.,)	
501 School Street, S.W., Suite 700)	
Washington, DC 20024,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	
)	
BOARD OF GOVERNORS)	
OF THE FEDERAL RESERVE SYSTEM)	
20 th Street and Constitution Avenue, NW)	
Washington, DC 20551,)	
)	
Defendant.)	
_____)	

**COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF**

Plaintiff Judicial Watch, Inc. brings this action against Defendant Board of Governors of the Federal Reserve System (“Federal Reserve”) to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). 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 is a non-profit, educational foundation organized under the laws of the District of Columbia and having its principal place of business at 501 School Street, S.W., Suite 700, Washington, DC 20024. Plaintiff seeks to promote integrity, transparency, and

accountability in government and fidelity to the rule of law. In furtherance of its public interest mission, Plaintiff regularly requests access to the public records of federal, state, and local government agencies, entities, and offices, and disseminates its findings to the public.

4. Defendant is an agency of the United States Government and is headquartered at 10th Street and Constitution Avenue, NW, Washington, DC 20551. Defendant has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On September 2, 2009, Plaintiff sent a FOIA request to Federal Reserve seeking access to the following records for the time frame from August 2007 to the present:

1. Any and all visitor logs for meetings with Chairman Bernanke.
2. Any and all visitor logs for meetings with Kevin Warsh.

6. Pursuant to 5 U.S.C. § 552 (a)(6)(A)(i), Federal Reserve was required to respond to Plaintiff's request within twenty (20) working days of receipt.

7. By letter dated September 3, 2009, Federal Reserve acknowledged receiving Plaintiff's FOIA request on September 2, 2009.

8. On October 1, 2009, Federal Reserve sent Plaintiff a letter extending the period of time to respond until October 16, 2009, pursuant to 5 U.S.C. § 552 (a)(6)(B)(i).

9. As of November 12, 2009, Federal Reserve has failed to produce any records responsive to Plaintiff's request or demonstrate that responsive records are exempt from production. Nor has Federal Reserve indicated when or whether any responsive records will be produced.

10. Because Federal Reserve failed to comply with the time limits set forth in 5 U.S.C. § 552(a)(6)(A)(i), Plaintiff is deemed to have exhausted any and all administrative remedies pursuant to 5 U.S.C. § 552(a)(6)(C).

COUNT 1
(Violation of FOIA)

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

12. Defendant has violated FOIA by failing to respond to Plaintiff's September 2, 2009 request.

13. Plaintiff is being irreparably harmed by reason of Defendant's violation of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with the requirements of FOIA.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) declare Defendant's failure to comply with FOIA to be unlawful; (2) order Defendant to search for and produce any and all non-exempt records responsive to Plaintiff's September 2, 2009 request and a *Vaughn* index of allegedly exempt records responsive to the request by a date certain; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to the request; (4) grant Plaintiff an award of attorney's 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 12, 2009

Respectfully submitted,

JUDICIAL WATCH, INC.

A handwritten signature in cursive script that reads "Jason Aldrich". The signature is written in black ink and is positioned above a horizontal line.

Jason B. Aldrich

D.C. Bar No. 495488

Suite 500

501 School Street, S.W.

Washington, DC 20024

(202) 646-5172

Attorneys for Plaintiff