



**U.S. Department of Justice**  
Office of Information Policy  
*Sixth Floor*  
*441 G Street, NW*  
*Washington, DC 20530-0001*

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Telephone: (202) 514-3642

August 9, 2023

Sean Dunagan  
Judicial Watch  
339 Park Drive  
Glenwood Springs, CO 81601  
[sdunagan@judicialwatch.org](mailto:sdunagan@judicialwatch.org)

Re: FOIA-2023-00361  
23-cv-1485 (D.D.C.)  
VRB:JMB:SJD

Dear Sean Dunagan:

This is a supplemental response to your Freedom of Information Act (FOIA) request dated December 9, 2022, and received in this Office on December 14, 2022, seeking "staff rosters, phone lists, or similar records" for the Office of Special Counsel Jack Smith since November 1, 2022.

Previously, we informed you that we had determined that material responsive to your request should be withheld pursuant to Exemptions 6 and 7(A) of the FOIA, 5 U.S.C. § 552(b)(6) and (b)(7)(A). Please be advised that upon further review, we have determined that Exemption 7(C) of the FOIA, 5 U.S.C. § 552(b)(7)(C), also applies to information within the withheld material. Exemption 7(C) pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Additionally, please be advised that, in addition to confirming Special Counsel Smith and Myron Marlin's association with the Special Counsel's Office, the following officials have filed court appearances on behalf of the Office of Special Counsel Smith: Jay Bratt, David Harbach, Julie Edelstein, Karen Gilbert, Michael Thakur, J.P. Cooney, Molly Gaston, and Thomas Windom.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

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If you have any questions regarding this response, please contact Courtney Enlow of the Department's Civil Division, Federal Programs Branch at 202-616-8467.

Sincerely,



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Vanessa R. Brinkmann  
Senior Counsel