

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

JUDICIAL WATCH, INC.,
425 Third Street SW, Suite 800
Washington, DC 20024,

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,
The Executive Office
Office of the Legal Adviser, Suite 5.600
600 19th Street NW
Washington, DC 20522,

Defendant.

COMPLAINT

Plaintiff, Judicial Watch, Inc., brings this action against Defendant, U.S. Department of State, 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, Judicial Watch, Inc., is a not-for-profit, educational organization incorporated under the laws of the District of Columbia and is headquartered at 425 Third Street SW, Suite 800, Washington, DC 20024. Plaintiff seeks to promote transparency, integrity, and accountability 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

agencies' responses and disseminates both 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 State ("State Department") is an agency of the U.S. Government headquartered at 2201 C Street, N.W., Washington, DC 20520. The State Department has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On January 13, 2025, Plaintiff served a FOIA request to the State Department, via the agency's online FOIA portal, seeking access to the following:

1. All cables/teletypes, reports, summaries, or records of communication regarding the 2024 election in Romania, the December 2024 Constitutional Court of Romania decision annulling the election, or the January 2025 public protests regarding the court decision. This request includes, but is not limited to, all related records of communication between any official or employee of the Department of State assigned to the U.S. Embassy Bucharest and any officer, employee, or representative of any nonprofit/nongovernmental organization.
2. All records, including records of communication, regarding alleged interference by the government of Russia or any individual or entity acting on its behalf in the 2024/2024 elections in Romania.

The time frame for the requested records was identified as "September 1, 2024, to the present."

6. By letter dated March 5, 2025, the State Department acknowledged receipt of the request on January 13, 2025, and advised Plaintiff that the request had been assigned reference number F-2025-08067.

7. The State Department's letter also asserted that the agency had placed the request in the "complex processing track" and that it would not be able to respond within the 20 days provided by the statute due to "unusual circumstances."

8. As of the date of this Complaint, the State Department has failed to: (i) determine whether to comply with the request; (ii) notify Plaintiff of any such determination or the reasons therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate that the requested records are exempt from production.

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

9. Plaintiff realleges paragraphs 1 through 8 as if fully stated herein.

10. Defendant is in violation of FOIA.

11. 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 law.

12. Plaintiff has no adequate remedy at law.

13. To trigger FOIA's administrative exhaustion requirement, Defendant was required to make a final determination on Plaintiff's request by February 26, 2025. Because Defendant failed to make a final determination on Plaintiff's request within the time limits set by FOIA, Plaintiff is deemed to have exhausted its administrative appeal remedies.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to conduct searches 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: September 18, 2025

Respectfully submitted,

/s/ Ramona Cotca
Ramona R. Cotca
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