

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

| | | |
|--------------------------------|---|------------------|
| JUDICIAL WATCH, INC., |) | |
| 425 Third Street SW, Suite 800 |) | |
| Washington, DC 20024, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. |
| |) | |
| v. |) | |
| |) | |
| U.S. DEPARTMENT OF JUSTICE, |) | |
| 950 Pennsylvania Avenue NW |) | |
| Washington, DC 20530, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

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 (“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 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 Justice ("DOJ") is an agency of the U.S. Government and is headquartered at 950 Pennsylvania Avenue NW, Washington, DC 20530. Defendant DOJ has possession, custody, and control of public records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On November 19, 2025, Plaintiff submitted a FOIA request to the Federal Bureau of Investigation ("FBI"), a component of Defendant, seeking access to:

Records and communications regarding the May 24, 2023 meeting between former Special Counsel Jack Smith and former FBI Director Christopher Wray. Specifically, I am requesting:

1. The complete, unredacted version of the FBI "Significant Case Notification" form dated May 25, 2023 (or any draft thereof) that memorializes the May 24, 2023, meeting between then Special Counsel Jack Smith and then-FBI Director Christopher Wray, including any attachments, routing slips, or distribution lists. (A redacted version of this document was previously provided to Senators Charles E. Grassley and Ron Johnson and posted on Senator Grassley's official Senate website in November 2025.)
2. All calendar invitations, meeting requests, scheduling emails, Microsoft Outlook/Exchange entries, or other electronic or paper records reflecting the scheduling, confirmation, or occurrence of the May 24, 2023, meeting between Special Counsel Smith and Director Wray (including any entries for participants, staff, or observers).
3. Any agenda, talking points, briefing binders, read-ahead materials, slide decks, or other preparatory documents provided to or prepared for Director Wray, Deputy Director Paul Abbate, or any other FBI personnel in advance of the May 24, 2023 meeting.

4. Any notes (handwritten, typed, or electronic), summaries, memos-to-file, after-action reports, or other contemporaneous or subsequent records created by any attendee or observer of the May 24, 2023 meeting, including but not limited to Director Wray, Special Counsel Smith, or their respective staff.
5. All internal FBI communications (including email, Microsoft Teams/Lync/Skype chat, text messages preserved on government devices, Signal messages, or any other medium) sent or received between May 1, 2023, and June 30, 2023 that reference, discuss, or relate to the May 24, 2023 meeting or its subject matter.
6. Any audio, video, or stenographic recordings of the May 24, 2023 meeting, if such recordings exist.
7. Any follow-up correspondence or taskers generated as a result of the May 24, 2023 meeting.

The time frame for the request was identified as “April 1, 2023, to December 1, 2024.”

6. The request was submitted via the FBI’s eFOIAPA system and was received the same day it was sent.

7. By letter dated November 21, 2025, the FBI acknowledged receipt of the request and advised Plaintiff that the request had been assigned FOIPA Request No.: 1701452-000.

8. As of the date of this Complaint, the FBI 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 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 on or about December 18, 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 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 the request; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's 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 the 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: January 27, 2026

Respectfully submitted,

/s/ Lauren M. Burke
Lauren M. Burke
D.C. Bar No. 1028811
JUDICIAL WATCH, INC.
425 Third Street SW, Suite 800
Washington, DC 20024
Tel: (202) 646-5172
Email: lburke@judicialwatch.org

Counsel for Plaintiff