

**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, accountability, and integrity in government and fidelity to the rule of law. As part of its mission, Plaintiff regularly serves FOIA requests on federal agencies, analyzes the responses it receives, and

disseminates its findings and any 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 U.S. Government and is headquartered at 950 Pennsylvania Avenue N.W., Washington, DC 20530. Defendant DOJ has possession, custody, and control of public records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On November 5, 2025, Plaintiff sent a FOIA request to the Federal Bureau of Investigation (FBI), a component of Defendant, seeking access to the following public records:

Records and communications including but not limited to inventories, logs, memos, interview summaries, chain-of-custody documents, and assessments, related to the discovery and contents of five "burn bags" found in Room 9582 Sensitive Compartmented Information Facility (SCIF) at FBI Headquarters, Washington, DC, as described in Opening Electronic Communication (EC) dated July 21, 2025 also filed as Document 138-12 in Case No. 1:25-cr-00272-MSN-WEF on November 3, 2025).

Specifically requesting:

- i. Contents of the Burn Bags:
 - a) All unclassified documents or releasable portions thereof, including any related to the FBI's Mar-a-Lago search, January 6 Capitol breach, Crossfire Hurricane investigation, or the Classified Appendix to the John Durham Special Counsel investigation.
 - b) For classified documents: A Vaughn Index or detailed list including titles, dates, classification levels, origin (e.g., agency/source), brief non-exempt descriptions, and specific exemption justifications for withholdings.
- ii. Counterintelligence Operational Lead (CIOL): The original CIA referral to former FBI Director James Comey, dated September 7, 2016, containing intelligence related to the 2016 U.S. presidential election campaign (found in a storage closet adjacent to the Director's office and transported to Room 9582 SCIF). Include any unclassified summaries, logs, reports, transmittal records, or assessments of its authenticity/relevance.

- iii. Related Contextual Records: Any unclassified portions of the Director's Advisory Team's 60-day internal review (initiated ~April 15, 2025), including badge access logs, IMD/SecD consultations, employee interview notes (from the three conflicting accounts mentioned), and assessments of Capstone/NARA compliance.

The date range of the request was identified as January 1, 2016 to the present.

6. The request was submitted via the FBI's eFOIPA online portal and was received the same day it was sent.

7. By letter dated November 14, 2025, the FBI acknowledged receipt of the request and advised Plaintiff that the request had been assigned FOIPA Request Number 1699270-000.

8. Plaintiff has received no further communication from Defendant regarding this request.

9. As of the date of this Complaint, the FBI has failed to: (i) issue a final determination on the request; (ii) notify Plaintiff of any such determination or the reason therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate the requested records are exempt from production.

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

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

11. Defendant is in violation of FOIA.

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 the law.

13. Plaintiff has no adequate remedy at law.

14. To trigger FOIA's administrative exhaustion requirement, Defendant was required to make a final determination on Plaintiff's request by December 5, 2025. Because

Defendant failed to issue 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 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 *Vaughn* indices 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 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: February 19, 2026

Respectfully submitted,

/s/ Christina Bobb
Christina Bobb
D.C. Bar No. 90021326
JUDICIAL WATCH, INC.
425 Third Street SW, Suite 800
Washington, DC 20024
Tel: (202) 646-5172
Email: cbobb@judicialwatch.org

Attorneys for Plaintiff