

**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 S.W., 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 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 April 25, 2025, Plaintiff submitted a FOIA request to the Federal Bureau of Investigation ("FBI"), a component of Defendant, seeking access to the following records:

FBI records, documents, communications, reports, images, audio, video, data, and any other form of record—regardless of format—relating to Zulkifli bin Hir (also known as Marwan, born in 1966 in Muar, Johor, Malaysia). He was killed during Oplan Exodus conducted on 25 January 2015 in Mamasapano, Maguindanao, Philippines.

- i. Records and communications about FBI employees deployed to Mindanao, Philippines, including, General Santos City, Awang Airport, Datu Odin Sinsuat, Maguindanao, Zamboanga, Cotabato City or Mamasapano, between January 1, 2015, and April 1, 2015, to support in any capacity Philippines counterterrorism operation "Oplan Exodus" or to aid in the identification of Zulkifli bin Hir (also known as Marwan). Please provide records from January 1, 2015, to April 15, 2015.
- ii. Records and communications about FBI personnel coordinating with the Philippines National Police, U.S. Special Operations Forces (SOF), Joint Special Operations Task Force—Philippines (JSOTF-P), Central Intelligence Agency, or the U.S. Embassy, Philippines about the whereabouts, movements, capture or killing of Zulkifli bin Hir (also known as Marwan). Please provide records from June 1, 2010, to April 15, 2015.
- iii. Records and communications about individuals who claimed or attempted to claim the FBI reward for Zulkifli bin Hir (also known as Marwan) after January 25, 2015.
- iv. Records and communications about any FBI briefing or debriefing regarding "Oplan Exodus" carried out by the

Philippine National Police. Please provide records from July 1, 2014, to July 1, 2015.

- v. Records and communications between the FBI and the U.S. State Department or and representative of the Philippine government about potential reward claims, eligibility, or denials of the FBI' award for Zulkifli bin Hir (also known as Marwan). Please provide records from January 25, 2015, and January 1, 2017.
- vi. Records and communications about President Rodrigo Duterte's 2017 public statements alleging CIA and FBI involvement in the operation Oplan Exodus. Please provide records from January 1, 2017 to December 1, 2017.
- vii. Communications between or among (internal / external) FBI and the below listed U.S. agencies and foreign government entities about Marwan's movements, location, or any planning for Oplan Exodus. These records include the identification, surveillance, targeting, or confirmation of the location of Zulkifli bin Hir, also known as "Marwan," in the lead-up to the January 25, 2015, operation in Mamasapano, Philippines. This includes but is not limited to: (a) raw or finished intelligence reports from human sources (HUMINT), signals intelligence (SIGINT), imagery intelligence (IMINT), or pattern-of-life analysis; (b) operational summaries or intelligence bulletins referencing Marwan's movements, communications, or geographic location within Maguindanao; (c) intelligence fusion or surveillance support. Please provide records from January 1, 2012, to January 25, 2015.
 - a. Department of the Interior and Local Government (DILG) — domain: @dilg.gov.ph
 - b. Philippine National Police (PNP) — domain: @pnp.gov.ph
 - c. Armed Forces of the Philippines (AFP) — domain: @afp.mil.ph
 - d. Philippine Department of Justice (DOJ) — domain: @doj.gov.ph
 - e. National Bureau of Investigation (NBI) — domain: @nbi.gov.ph
 - f. U.S. Embassy in the Philippines — domains: @usembassy.gov, @usembassy.ph, @state.gov
 - g. U.S. Department of Justice / Office of International Affairs (DOJ-OIA) —domain: @usdoj.gov
 - h. Central Intelligence Agency @cia.gov
 - i. Federal Bureau of Investigation (FBI) — domain: @fbi.gov

- j. U.S. Department of Defense / U.S. Military / Joint Task Force personnel —domains:
 - @pacom.mil (U.S. Pacific Command)
 - @indopacom.mil (INDOPACOM successor)
 - @socpac.socom.mil (Special Operations Command Pacific)
 - @socom.mil (U.S. Special Operations Command)
 - @jsotf-p.mil (Joint Special Operations Task Force—Philippines)
 - @army.mil (U.S. Military Defense Attaché and support staff)

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 May 13, 2025, the FBI acknowledged receipt of Plaintiff's request and advised Plaintiff that the request had been assigned FOIPA Request No. 1666591-000.

8. By email dated August 4, 2025, the FBI advised Plaintiff they had "located approximately 1,237 pages potentially responsive" to Plaintiff's request.

9. As of the date of this Complaint, the FBI has failed to (i) produce the requested records or demonstrate that the requested records are lawfully exempt from production; (ii) notify Plaintiff of the scope of any responsive records it intends to produce or withhold and the reasons for any withholdings; or (iii) inform Plaintiff that it may appeal any adequately specific, adverse determination.

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 FOIA.

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 May 23, 2025, at the latest. Because Defendant failed to make a final determination on Plaintiff's requests within the time limits required by FOIA, Plaintiff is deemed to have exhausted its administrative remedies.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to search for any and all records responsive to Plaintiff's FOIA requests and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's FOIA requests; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's requests 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 requests; (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: February 10, 2026

Respectfully submitted,

/s/ Ramona R. Cotca
Ramona R. Cotca
D.C. Bar No. 501159
JUDICIAL WATCH, INC.
425 Third Street SW, Suite 800
Washington, DC 20024
Tel: (202) 646-5172
Fax: (202) 646-5199
Email: rcotca@judicialwatch.org

Counsel for Plaintiff