

**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 JUSTICE,
950 Pennsylvania Avenue NW
Washington, D.C. 20530,

Defendant.

Civil Action No.:

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

STATEMENT OF FACTS

5. On June 6, 2025, Plaintiff sent a FOIA request to the Federal Bureau of Investigation (FBI), a component of Defendant, seeking access to the following public records:

All contents obtained from the government-issued cell phones of former director of the National Institute of Allergy and Infectious Diseases Anthony Fauci, which were reportedly recovered by the FBI, as disclosed to podcaster Joe Rogan by FBI Director Kash Patel in the following interview:

<https://x.com/KyleSeraphin/status/1931056010313322693>.

6. By letter dated June 11, 2025, Defendant acknowledged receipt of the request and advised Plaintiff that the request had been assigned FOIPA Request No. 1670452-000.

7. By letter dated October 17, 2025, Defendant advised Plaintiff the request was denied in its entirety, stating the records were located in an investigative file exempt from disclosure under 5 U.S.C. § 552(b)(7)(A).

8. By web portal dated October 21, 2025, Plaintiff submitted an administrative appeal noting that Defendant’s withholding is overly broad.

9. By letter dated November 20, 2025, Defendant acknowledged receipt of Plaintiff’s appeal and advised Plaintiff it had been assigned appeal number A-2026-00052.

10. By letter dated January 15, 2026, Defendant denied Plaintiff’s appeal.

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

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

12. Defendant is in violation of FOIA.

13. 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.

14. Plaintiff has no adequate remedy at law.

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 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 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: August 7, 2026

Respectfully submitted,

/s/ Paul J. Orfanedes

Paul J. Orfanedes

D.C. Bar No. 429716

JUDICIAL WATCH, INC.

425 Third Street SW, Suite 800

Washington, DC 20024

Tel: (202) 646-5175

Email: porfanedes@judicialwatch.org

Counsel for Plaintiff