

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

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

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 D.C. 20530. Defendant has possession, custody, and control of public records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On August 7, 2025, Plaintiff sent a FOIA request to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), a component of Defendant, seeking access to the following public records:

All records related to former ATF confidential human source Carol Elizabeth Howe, a/k/a Sarah Collins. This request includes, but is not limited to, all investigative reports or similar records documenting or assessing information provided to the agency by Ms. Howe, as well as all related records entered into the ATF's Confidential Informant Master Registry and Reporting System (CIMRRS).

For purposes of clarification, Ms. Howe identified herself as a confidential source for the ATF during her December 10, 1997 testimony in the trial of Oklahoma City bombing defendant Terry Nichols (see: <https://web.archive.org/web/20111003225623/http://law2.umkc.edu/faculty/projects/ftrials/mcveigh/howetestimony.html>)

Additionally, Ms. Howe's status as a confidential source was confirmed by former ATF Special Agent Angela Finley-Graham on several occasions, including during her April 24, 1997 testimony in U.S. vs. Vieffhaus and Howe (see: https://www.motherjones.com/wp-content/uploads/legacy/news/featurex/2007/07/Angela_Gram_04.24.97.pdf). It is specifically requested that the search for potentially responsive records include, but not be limited to, all reports and records of communication prepared, submitted, approved, or sent or received by S/A Finley-Graham.

Ms. Howe was registered as confidential informant 53270-183 as was previously associated with the pseudonyms "Freyda" and "Lady MacBeth." According to published reports, Ms. Howe died in a house fire on or about January 6, 2025 (<https://jonronson.substack.com/p/the-death-of-carol-howe>).

6. The ATF acknowledged receipt of Plaintiff's request by email dated August 7, 2025, and advised Plaintiff that the request had been assigned Request Number 2025-01353.

7. Plaintiff has received no further communication from the ATF regarding Plaintiff's request.

8. As of the date of this Complaint, Defendant 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 it.

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 September 5, 2025, at the latest. Because Defendant failed to make a final determination 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 *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 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 11, 2026

Respectfully submitted,

/s/ Paul J. Orfanedes

Paul J. Orfanedes

D.C. Bar No. 429716

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