



August 6, 2013

VIA FAX AND E-MAIL

Ms. Mikelle DeVillier, FOIA Officer
Executive Office of the Mayor
1350 Pennsylvania Avenue, NW, Suite 302
Washington, D.C. 20004
Phone: (202) 727-2204
Fax: (202) 727-2359
E-mail: Mikelle.Devillier@dc.gov

RE: Freedom of Information Act Request

Dear Ms. DeVillier:

Pursuant to the District of Columbia Freedom of Information Act (FOIA), D.C. Code §§ 531-539, Cause of Action hereby requests that the Executive Office of the Mayor of the District of Columbia produce within fifteen (15) business days the following records:

All communications, including e-mails, letters, faxes or any other records, between Mayor Anthony Williams, Chief of Staff Alfreda Davis, or City Administrator Dan Tangherlini and any employee, agent, contractor, consultant or lobbyist of Forest City Washington or Forest City Enterprises from January 1, 2006 to December 31, 2006.¹

Request for news media status

For fee purposes, Cause of Action qualifies as a “representative of the news media” under D.C. Code § 2-532. Cause of Action is organized and operated, among other things, to publish and broadcast “news,” *i.e.*, information that is about current events or that would be of current interest to the public. Cause of Action gleans the information that it regularly publishes from a wide variety of sources, including whistleblowers/insiders, government agencies, universities, scholarly works, and documents obtained through FOIA requests. Cause of Action routinely and systematically disseminates information acquired from such sources to the public through various media. For example, Cause of Action maintains a frequently visited website, www.causeofaction.org, where it distribute its articles, blog posts, published reports, and newsletters, all of which address current events that are of interest to the general public. Cause of Action also disseminates news to the public via Twitter and Facebook. Further, subscribers receive regular news updates by e-mail. As a result of these activities, federal agencies have

¹ The relevant lobbyists include the following individuals and entities: Max Brown; Group 360, LLC; Jon Bouker; Craig Engle; Richard Newman; Arent Fox PLLC; and Arent Fox LLP.

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continually recognized Cause of Action as a representative of the media in connection with its FOIA requests.²

Further, Cause of Action is a nonprofit organization as defined under Section 501(c)(3) of the Internal Revenue Code and does not seek this information to benefit commercially. In light of the foregoing, any fees associated with this request should be limited to reasonable duplication charges. *See* D.C. Code § 2-532(b-1)(2).

Production of Records and Contact Information

In an effort to facilitate production, Cause of Action requests that all responsive records be produced in electronic format (*e.g.*, e-mail, pdf). If a certain set of responsive records can be produced more readily, we respectfully request that those records be produced first and that the remaining records be produced on a rolling basis as circumstances permit.

If you have any questions about this request, please contact me by e-mail at allan.blutstein@causeofaction.org or by telephone at (202) 499-4232. Thank you for your attention to this matter.



ALLAN BLUTSTEIN
SENIOR COUNSEL

² *See, e.g.*, FOIA Request 2013-01234-F, Dep't of Energy (July 1, 2013); FOIA Request 2013-145F, Consumer Fin. Prot. Bureau (May 29, 2013); FOIA Request 2013-073, Dep't of Homeland Sec. (Apr. 5, 2013); FOIA Request 2012-RMA-02563F, Dep't of Agric. (May 3, 2012); FOIA Request 2012-00270, Dep't of Interior (Feb. 17, 2012); Dep't of Commerce (Mar. 1, 2012); FOIA Request No. 12-00455-F, Dep't of Educ. (Jan. 20, 2012).