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Declined to Follow by *Davin v. U.S. Dept. of Justice*, 3rd Cir.(Pa.), August 1, 1995

41 F.3d 238

United States Court of Appeals,
Sixth Circuit.

Harlrel B. JONES, Plaintiff–Appellant,

v.

FEDERAL BUREAU OF
INVESTIGATION, Defendant–Appellee.

No. 92–3962.

|
Argued Oct. 14, 1994.|
Decided Nov. 17, 1994.**Synopsis**

Leader of black nationalist group in 1960's and 1970's brought action to compel release of withheld material from his Freedom of Information Act (FOIA) request for documents pertaining to himself or his group held by the Federal Bureau of Investigation (FBI). The United States District Court for the Northern District of Ohio, *Paul R. Matia, J.*, granted summary judgment for FBI, and appeal was taken. The Court of Appeals, *Merritt*, Chief Judge, held that: (1) trial court was required to conduct in camera review of sample in addition to reviewing affidavits from agency; (2) FBI properly claimed exemption for materials related to internal personnel rules and practices of agency to delete numbers used internally to identify confidential sources; (3) documents gathered for law enforcement purposes which would disclose identities of FBI agents were exempted from disclosure as unwarranted invasion of personal privacy; (4) FBI properly withheld information furnished in confidence by financial or commercial institutions; and (5) FOIA request did not pertain to material destroyed before request.

Affirmed.

West Headnotes (15)

[1] **Records** On judicial review of administrative decisions

District court reviews de novo agency's decisions regarding Freedom of Information Act (FOIA) request. 5 U.S.C.A. § 552(a)(4)(B).

11 Cases that cite this headnote

[2] **Records** Weight and sufficiency

Affidavits describing responsive documents withheld or redacted and indicating reason for exemptions claimed, and sample of 197 pages of material, or two percent of documents at issue, would normally be sufficient to allow court to review government's claims of exemption from disclosure under the Freedom of Information Act (FOIA). 5 U.S.C.A. § 552.

17 Cases that cite this headnote

[3] **Records** Presumptions, inferences, and burden of proof

Use of affidavits describing responsive documents withheld or redacted and indicating why exemptions claimed apply to withheld material is normal procedure in Freedom of Information Act (FOIA) cases because detailed description of material withheld could reveal exactly what agency may be entitled or required to withhold, and agency actions and affidavits are normally entitled to presumption of good faith. 5 U.S.C.A. § 552(b).

34 Cases that cite this headnote

[4] **Records** Presumptions, inferences, and burden of proof

Presumption of good faith that normally attaches to agency actions may be overcome by various evidence of bad faith in agency's handling of Freedom of Information Act (FOIA) request. 5 U.S.C.A. § 552(a).

40 Cases that cite this headnote

[5] **Records** Rules of construction**Records** Presumptions, inferences, and burden of proof

Exemptions from disclosure under the Freedom of Information Act (FOIA) are to be narrowly construed, and burden is on agency to demonstrate, rather than on requester to disprove, that materials sought may be withheld due to exemption. 5 U.S.C.A. § 552(a)(4)(B).

[6 Cases that cite this headnote](#)

[6] Records 🔑 [Weight and sufficiency](#)

In determining applicability of Freedom of Information Act (FOIA) exemption permitting federal agency to withhold matters specifically authorized to be kept secret in interest of national defense or foreign policy, reviewing court should accord substantial weight to agency's affidavits regarding classified information. 5 U.S.C.A. § 552(b)(1).

[4 Cases that cite this headnote](#)

[7] Records 🔑 [Internal Matters and Practices](#)

Federal agency may withhold materials under Freedom of Information Act (FOIA) exemption related solely to internal personnel rules and practices of agency. 5 U.S.C.A. § 552(b)(2).

[4 Cases that cite this headnote](#)

[8] Records 🔑 [Investigatory and Law Enforcement Matters](#)

Documents compiled by the Federal Bureau of Investigation (FBI) were subject to exemption from disclosure as records or information compiled for law enforcement purposes. 5 U.S.C.A. § 552(b)(7).

[22 Cases that cite this headnote](#)

[9] Records 🔑 [Personal interests and privacy considerations in general](#)

Federal Bureau of Investigation (FBI) was entitled to withhold identities of its own agents who appear in documents requested under Freedom of Information Act (FOIA) under exemption for information compiled for law enforcement purposes and release of which could reasonably be expected to be unwarranted

invasion of personal privacy. 5 U.S.C.A. § 552(b)(7)(C).

[49 Cases that cite this headnote](#)

[10] Records 🔑 [Investigatory and Law Enforcement Matters](#)

Fact that agent decided or was required to testify or otherwise come forward in other settings does not give party right under Freedom of Information Act (FOIA) to documents revealing fact and nature of agent's employment. 5 U.S.C.A. § 552(b)(7)(C).

[6 Cases that cite this headnote](#)

[11] Records 🔑 [Informants and confidential sources](#)

Records 🔑 [Grounds and justification; factors considered](#)

Documents which meet law enforcement threshold and whose release could reasonably be expected to disclose identity of confidential source, including state, local, or foreign agency or authority, or any private institution which furnished information on confidential basis may be withheld or redacted under Freedom of Information Act (FOIA); if source was confidential, exemption may be claimed regardless of public interest in disclosure. 5 U.S.C.A. § 552(b)(7)(D).

[18 Cases that cite this headnote](#)

[12] Records 🔑 [Informants and confidential sources](#)

Federal Bureau of Investigation (FBI) properly withheld information furnished in confidence by financial or commercial institutions, where agency provided express assurance of confidentiality. 5 U.S.C.A. § 552(b)(7)(D).

[3 Cases that cite this headnote](#)

[13] Records 🔑 [Informants and confidential sources](#)

Documents which meet law enforcement threshold and whose release could reasonably be expected to disclose identity of confidential source were exempt from disclosure under the Freedom of Information Act (FOIA) regardless of whether there was need for protection of the sources who provided information with understanding of confidentiality. 5 U.S.C.A. § 552(b)(7)(D).

8 Cases that cite this headnote

[14] Records 🔑 Possession, custody, or control

Freedom of Information Act (FOIA) request pertains only to material in possession of agency at time of request; agency may not be ordered to make amends for any documents destroyed before request was made. 5 U.S.C.A. § 552.

13 Cases that cite this headnote

[15] Federal Civil Procedure 🔑 Scope

Records 🔑 Matters Subject to Disclosure in General

Freedom of Information Act's (FOIA) scheme of exemptions does not curtail plaintiff's rights to discovery in related non-FOIA litigation; but neither does that right entitle FOIA plaintiff to circumvent rules limiting release of documents under FOIA. 5 U.S.C.A. § 552.

11 Cases that cite this headnote

Attorneys and Law Firms

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Before: MERRITT, Chief Judge; and CELEBREZZE and JONES, Circuit Judges.

Opinion

MERRITT, Chief Judge.

Plaintiff Harllel Jones was the founder and leader of a group called "Afro Set" or the "Black Nationalist Party for Self Defense" in Cleveland in the 1960s and 1970s. Almost twenty years ago, Jones filed requests pursuant to the "Freedom of Information Act" (FOIA), 5 U.S.C. § 552, seeking all documents pertaining to himself or Afro Set held by the defendant Federal Bureau of Investigation and the United States Secret Service. The FBI eventually located 2,936 responsive documents comprising 10,485 pages, primarily within four central FBI files and various corresponding Cleveland and Cincinnati field office files. The agency released 485 pages in their entirety; released 9,157 pages with *240 portions redacted; and withheld 845 pages in their entirety.

In 1977, Jones filed suit in federal district court to compel release of the withheld material.¹ Eight different district judges were responsible for the case at different times over the course of fifteen years,² until in August 1992 Judge Matia entered an order granting summary judgment to the FBI. Jones appeals this order.

Because of its controversial historical background, as well as the long delays and enormous number of responsive documents, this is a particularly difficult case. Prior to judging the individual statutory exemptions claimed by the FBI to justify its withholdings, we must decide two important questions of FOIA law: first, under what circumstances a district court should look beyond the affidavits submitted by the defendant agency and examine responsive documents in unredacted form *in camera*; second, whether material responsive to a FOIA request may be withheld under any of the exemptions created by subsection (b)(7) of the FOIA statute if some of the underlying activities may not have conformed with legitimate law enforcement purposes.

I. Background

Beginning in 1965 and apparently continuing until 1977, Harllel Jones and Afro Set were targets of the FBI's Black Nationalist Counterintelligence Program (COINTELPRO). Seen in its best light, COINTELPRO was organized to gather information on violent individuals and groups, some of whom

intended to overthrow our constitutional government. Seen in worse light, COINTELPRO targeted African-Americans of local and national prominence as part of organized resistance to their struggles to secure civil rights for all Americans. To illustrate, COINTELPRO's targets included both the Black Panther Party, whose membership included undeniably violent individuals, and the Rev. Dr. Martin Luther King, whose birthday we now celebrate as a national holiday. It is well known, for example, that the FBI expended considerable resources attempting to undermine the work of Dr. King by linking him to allegedly subversive organizations and by discovering details of his personal life. See *Lesar v. U.S. Dep't of Justice*, 636 F.2d 472, 487 (D.C.Cir.1980).

In 1976, the Senate Select Committee on Intelligence (the Church Committee) issued a report documenting systematic violations of civil rights by the FBI and other intelligence and security organizations.³ COINTELPRO was among the operations discussed in the report, which quoted at length from an FBI internal memorandum describing COINTELPRO's goals. According to this memorandum, the FBI's goals were to “Prevent the *coalition* of militant black nationalist groups”; “Prevent the *rise of a ‘messiah’* who could unify, and electrify, the militant black nationalist movement”; “Prevent *violence* on the part of black nationalist groups”; “Prevent militant black nationalist groups and leaders from gaining *respectability*”; and “Prevent the long-range *growth* of militant black nationalist organizations, especially among youth” (emphasis in original). The Church Committee characterized COINTELPRO as “a sophisticated vigilante operation aimed squarely at preventing the exercise of First Amendment rights[.]” Senate Report, Book III at 6. The Seventh Circuit stated that this memorandum is “damning evidence indicating the COINTELPRO was intended to do much more than simply ‘prevent violence[.]’ ” *Hampton v. Hanrahan*, 600 F.2d 600, 608–09 (7th Cir.1979), *rev'd in part on other grounds*, 446 U.S. 754, 100 S.Ct. 1987, 64 L.Ed.2d 670 (1980). In his brief on appeal Jones cites numerous publications describing the misconduct of the FBI. There seems little doubt that under COINTELPRO the *241 agency did not observe its duty to uphold the civil liberties of American citizens.

In August 1970 members of Afro Set shot two police officers in Cleveland, killing one. In March 1972, based primarily upon information supplied by a member of Afro Set who had become a confidential FBI informant, Jones was convicted in state court of second-degree murder and shooting with intent to kill or wound. The informant, a co-defendant and admitted

triggerman, testified that Jones had ordered the members of Afro Set to shoot police officers and security guards at random in retaliation for the shooting of an Afro Set member by a security guard. In return, first-degree murder charges against the informant were dropped. In 1975, the same year he filed his FOIA requests, Jones filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, asking that his conviction be vacated on the ground that the prosecution had failed to provide his counsel with either an exculpatory written statement of a co-indicted witness or the fact of the prosecution's agreement to drop charges against the main informant. The habeas court granted the writ in 1977 and Jones was freed. *Jones v. Jago*, 428 F.Supp. 405 (N.D. Ohio 1977), *aff'd*, 575 F.2d 1164 (6th Cir.), *cert. denied*, 439 U.S. 883, 99 S.Ct. 223, 58 L.Ed.2d 196 (1978). From the record before us, it appears that the documents he obtained through his FOIA requests helped Jones win his habeas case. The state failed in its attempt to have him re-imprisoned pending retrial and in 1978 the charges were dismissed.

II. Procedural History

The FBI justified its withholdings in this case under exemptions set forth in 5 U.S.C. § 552(b).⁴ Early in the case, Jones moved to require the FBI to submit a *Vaughn* index of the entire document set. A *Vaughn* index is a routine device through which the defendant agency describes the responsive documents withheld or redacted and indicates why the exemptions claimed apply to the withheld material. *Vaughn v. Rosen*, 484 F.2d 820, 826–27 (D.C.Cir.1973), *cert. denied*, 415 U.S. 977, 94 S.Ct. 1564, 39 L.Ed.2d 873 (1974). Jones's motion was denied as premature, and it is unclear to us why no significant action was taken in the case during the next five years.

In late 1982, the FBI moved for leave to employ a random sample to select a smaller group of representative documents, for which the agency would then produce a *Vaughn* index. Plaintiff renewed his motion to require defendants to file a complete index. The district court granted the FBI's motion on the ground that “[t]o require the defendant to produce a *Vaughn* index covering each and every page of the withheld documents would be an excessive burden at this stage of the proceedings.” Order, April 14, 1983, at 3. The FBI submitted the sample in redacted form to the district court in March 1984 along with the declarations of Special Agents Walter Scheuplein, Jr., and Robert F. Peterson, two affidavits which together constituted the original *Vaughn*

index in this case. These affidavits explained the agency's central records system, related the FBI's search for and collection of documents, described the preparation of the sample, and justified the exemptions claimed. Since the original sample included none of the fourteen documents with material withheld under Exemption 7(E), later in 1984 the FBI submitted these documents to the court with a second declaration from Agent Scheuplein. This brought the total number of documents before the court to 72. At the same time that he approved the use of the sample, Judge Bell also granted the FBI's motion for a protective order staying discovery. Order, April 14, 1983, at 4–5.

The FBI moved for summary judgment on the basis of the sample and affidavits. Plaintiff filed his own cross-motion for summary judgment, and the case remained on these motions for a number of years before being referred to a magistrate judge in early 1990. *242 In June 1991 the magistrate recommended granting the FBI's motion for summary judgment, and in August 1992 Judge Matia so granted, holding that the affidavits and sample were sufficient information on which to base a finding and that on this basis the FBI had properly claimed the various exemptions at issue. Opinion and Order, Aug. 12, 1992.

III. Basis of Review

[1] A district court reviews *de novo* an agency's decisions regarding a FOIA request. 5 U.S.C. § 552(a)(4)(B). As this appeal is from a grant of summary judgment, our review is *de novo* as well. FOIA cases typically come up on appeal in this fashion, based on the defendant agency's *Vaughn* affidavits and before the plaintiff has had a chance to engage in discovery. This is a peculiar posture, difficult for our adversarial system to handle. The problem goes to the very nature of these actions as petitions for the release of documents. Where material has been withheld by the government agency, the plaintiff must argue that the withholding goes beyond that allowed by the statute. But the plaintiff is handicapped in this endeavor by the fact that only the agency truly knows the content of the withheld material. See *Vaughn v. Rosen*, 484 F.2d at 823–24; *McDonnell v. United States*, 4 F.3d 1227, 1241 (3d Cir.1993); *Wiener v. F.B.I.*, 943 F.2d 972, 977 (9th Cir.1991), *cert. denied*, 505 U.S. 1212, 112 S.Ct. 3013, 120 L.Ed.2d 886 (1992). Except in cases in which the court takes the entire set of responsive documents *in camera*, even the court does not know.

For several decades federal courts have struggled with how to level this unequal playing field. At the same time, courts have needed to formulate workable rules for the FOIA context. *U.S. Dep't of Justice v. Reporters Committee for Freedom of Press*, 489 U.S. 749, 779, 109 S.Ct. 1468, 1485, 103 L.Ed.2d 774 (1989). These concerns led to the use of *Vaughn* indices, described above. In this circuit, no precise form is dictated for these affidavits; any form is acceptable which “enables the court to make a reasoned, independent assessment of the claim[s] of exemption.” *Vaughn v. United States*, 936 F.2d 862, 866–67 (6th Cir.1991).

[2] Plaintiff argues that the FBI's affidavits in this case are inadequate to explain the agency's exemption claims fully and insufficient to permit him to make his case that the FBI has applied the exemptions too broadly. Plaintiff also asserts that the initial sample was an insufficient factual basis upon which to consider the FBI's motion for summary judgment. We disagree. The affidavits here are of the kind that have become accepted practice and they are sufficiently detailed for this type of document. We also agree with the district court that “[w]here, as here, a large number of documents have been withheld from disclosure by the government, it would not be realistically possible for the Court to review all of the documents at issue.” Opinion and Order, Aug. 12, 1992, at 4. In this case, the sample included 197 pages of material and constituted 2% of the documents at issue, and under normal circumstances a random sample of this size would be sufficient to allow the court to review the government's claims of exemption. *Meeropol v. Meese*, 790 F.2d 942, 958 (D.C.Cir.1986) (approving use of sample consisting of 1% of documents); *Weisberg v. U.S. Dep't of Justice*, 745 F.2d 1476, 1490 (D.C.Cir.1984) (approving sample of 1/2%).

[3] [4] Our procedural inquiry does not end here, however. Use of *Vaughn* affidavits is normal procedure in FOIA cases because (1) detailed description of material withheld could reveal exactly what the agency may be entitled or required to withhold; and (2) agency actions and affidavits are normally entitled to a presumption of good faith. *U.S. Dep't of State v. Ray*, 502 U.S. 164, —, 112 S.Ct. 541, 550, 116 L.Ed.2d 526 (1991). This presumption may be overcome where there is evidence of bad faith in the agency's handling of the FOIA request. Even where there is no evidence that the agency acted in bad faith with regard to the FOIA action itself there may be evidence of bad faith or illegality with regard to the underlying activities which generated the documents at issue. Where such evidence is strong, it would be an abdication of the court's responsibility to treat the case in the *243

standard way and grant summary judgment on the basis of *Vaughn* affidavits alone. It would risk straining the public's ability to believe—not to mention the plaintiff's—that the courts are neutral arbiters of disputes whose procedures are designed to produce justice out of the clash of adversarial arguments.

The instant case presents such evidence. COINTELPRO went beyond the detection and prevention of criminal activity; the program's infringements of civil liberties seem well documented; and because the FBI worked closely with local law enforcement and supplied the key prosecution witness, the program is tied to the tainted prosecution of plaintiff for murder. This does not prove that the FBI acted in bad faith with regard to the FOIA request, but it does mean that the courts of this circuit should not process this case in the same manner as they would a request for documents regarding a routine FBI investigation.

FOIA gives a district court the power to take documents *in camera*. 5 U.S.C. § 552(a)(4)(B). While it is not erroneous for a district court to decline to do so “where other evidence provides adequate detail and justification,” *Vaughn v. United States*, 936 F.2d at 869, *in camera* review is called for in certain circumstances:

[T]he decision to exercise a court's discretion to review material *in camera* ultimately involves consideration of the following factors: 1) *judicial economy*—every court on record has expressed significant concern about imposing a line by line review upon trial and appellate courts in resolving FOIA requests involving hundreds or thousands of documents; 2) *actual agency bad faith*—where it becomes apparent that the subject matter of a request involves activities which, if disclosed, would publicly embarrass the agency or that a so-called “cover up” is presented, government affidavits lose credibility; 3) *strong public interest*—where the effect of disclosure or exemption clearly extends to the public at large, such as a request which may surface evidence of corruption in an important government function, there may be a reason to give lesser weight to factors like judicial economy; 4) *the parties request in camera review*—obviously the court cannot be required to conduct a review upon demand, but a request would ameliorate concern that *in camera* inspection was precluding vigorous adversary proceedings or that a court was stepping into an area, as national security, which is the province of the Executive.

Ingle v. Dep't of Justice, 698 F.2d 259, 267 (6th Cir.1983) (emphasis in original). The court also cautioned that a trial

court should undertake *in camera* inspection only after (1) “attempting to adequately resolve the matter by a Vaughn Index,” (2) considering other possible procedures short of “full *in camera* examination,” and (3) allowing argument by the parties on the propriety of *in camera* review. *Id.* In the instant case all three prerequisites have been satisfied.

In the language of *Ingle*, Jones's request clearly involves “activities which, if disclosed, would publicly embarrass the agency,” and “the effect of disclosure or exemption clearly extends to the public at large.” Although this circuit has suggested that *in camera* review is disfavored because it circumvents the adversarial process, *Vaughn v. United States*, 936 F.2d at 866, we believe that it is sometimes a necessary risk. In certain circumstances the court *must* play a more active role because no other party or institution is available to ensure that the agency's assertions are reliable. Moreover, there is no danger in the instant case of circumventing “vigorous adversary proceedings” because plaintiff requested *in camera* inspection and defendant has always had full access to the documents at issue. Nor would *in camera* review have been an undue burden upon judicial resources, as the trial court had approved use of a manageable sample. As a result, the district court should not have granted summary judgment solely on the basis of the affidavits and should have conducted an *in camera* review of the sample.

At oral argument, therefore, we asked plaintiff to select roughly 350 pages from among the thousands which the FBI had redacted. When added to the original random sample, this “plaintiff's choice” made a total of 167 documents comprising 553 pages, *244 which the FBI submitted to us under seal and in unredacted form for our *in camera* examination.⁵ The final sample represents more than five per cent of the total document pool, whether measured in documents or in pages, and constitutes a more than adequate sample of a document pool this large. With this augmented sample, the *Vaughn* affidavits, and our own *in camera* review, there is now sufficient information before this court to decide whether the FBI has properly withheld material responsive to plaintiff's FOIA request.

IV. Exemptions

[5] FOIA's overall goal is “ ‘to open agency action to the light of public scrutiny.’ ” *Reporters Committee*, 489 U.S. at 772, 109 S.Ct. at 1481 (quoting *Dep't of Air Force v. Rose*, 425 U.S. 352, 361, 372, 96 S.Ct. 1592, 1599, 48 L.Ed.2d 11

(1976)); *Ray*, 502 U.S. at —, 112 S.Ct. at 547. FOIA calls for full disclosure of the activities of federal agencies “ ‘unless information is exempted under clearly delineated statutory language.’ ” *Rose*, 425 U.S. at 360–61, 96 S.Ct. at 1598–99 (quoting S.Rep. No. 813, 89th Cong., 1st Sess. 3 (1965)). The exemptions are to be “narrowly construed,” *Rose*, 425 U.S. at 361, 96 S.Ct. at 1599, and the burden is on the defendant “agency to demonstrate, not the requester to disprove, that the materials sought may be withheld due to an exemption.” *Vaughn v. United States*, 936 F.2d at 866 (citing 5 U.S.C. § 552(a)(4)(B)); *Ray*, 502 U.S. at —, 112 S.Ct. at 547.

Exemption 1

FOIA Exemption 1 permits a federal agency to withhold “matters that are—(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of *national defense or foreign policy* and (B) are in fact properly classified pursuant to such Executive order.” 5 U.S.C. § 552(b)(1) (emphasis added). The FBI redacted one document in the sample pursuant to this exemption and asserted that it contains “intelligence activities ..., sources, or methods” ordered to be kept secret under [Executive Order 12356](#) § 1.3(a)(4). Specifically, the agency used this subsection to withhold “numerical designators that are exclusively assigned to national security sources.” Peterson Declaration ¶ 6. The FBI judged that “disclosure of this information could reveal the identity of national security sources reporting foreign counterintelligence information to the FBI.” *Id.* ¶ 5.

[6] In determining the applicability of Exemption 1, a reviewing court should accord “substantial weight” to the agency’s affidavits regarding classified information. *Patterson v. F.B.I.*, 893 F.2d 595, 601 (3d Cir.), *cert. denied*, 498 U.S. 812, 111 S.Ct. 48, 112 L.Ed.2d 24 (1990); *Halperin v. CIA*, 629 F.2d 144, 147–48 (D.C.Cir.1980); *Hayden v. National Security Agency*, 608 F.2d 1381, 1387 (D.C.Cir.1979), *cert. denied*, 446 U.S. 937, 100 S.Ct. 2156, 64 L.Ed.2d 790 (1980). Having examined the document *in camera* and in light of the Peterson Declaration, we conclude that it was properly classified under [Executive Order 12356](#) and that the FBI therefore properly withheld the information.

Exemption 2

[7] FOIA Exemption 2 permits a federal agency to withhold materials “related solely to the *internal personnel rules and practices* of an agency.” 5 U.S.C. § 552(b)(2) (emphasis added). This exemption applies to “ ‘routine matters’ of ‘merely internal significance’ in which the public lacks any substantial or legitimate interest.” *Lesar*, 636 F.2d at 485 (quoting *Rose*, 425 U.S. at 370, 96 S.Ct. at 1603); *see also Schwaner v. Dep’t of Air Force*, 898 F.2d 793, 796 (D.C.Cir.1990). The FBI has claimed this exemption “to delete FBI symbol numbers and file numbers which are used internally by the FBI to identify confidential sources.” First Scheuplein Declaration ¶ 27.

This court has previously upheld the use of Exemption 2 to withhold informant symbol *245 and file numbers. *Kiraly v. F.B.I.*, 728 F.2d 273, 276 n. 6 (6th Cir.1984); *see also Lesar*, 636 F.2d at 485–86. Having reviewed the sample *in camera* and in light of the First Scheuplein Declaration, we conclude that the FBI has properly claimed this exemption.

Threshold for Exemptions 7(A–F)

[8] FOIA permits the agency to withhold responsive documents which constitute “records or information compiled for law enforcement purposes” and which also meet at least one of six additional criteria. 5 U.S.C. § 552(b)(7).⁶ The FBI has claimed three of these exemptions: 7(C), which guards against “unwarranted invasions of personal privacy”; 7(D), which protects confidential sources; and 7(E), which safeguards law enforcement techniques and procedures. The agency is not entitled to withhold any material on the basis of these exemptions unless those materials are “records or information compiled for law enforcement purposes.” *John Doe Agency v. John Doe Corporation*, 493 U.S. 146, 153, 110 S.Ct. 471, 475, 107 L.Ed.2d 462 (1989). There has been disagreement among the circuits about how to make this threshold determination.

Three circuits have adopted a *per se* rule, under which records compiled by a law enforcement agency qualify as “records compiled for law enforcement purposes” under FOIA. *See Irons v. Bell*, 596 F.2d 468, 473–75 (1st Cir.1979); *Curran v. Dep’t of Justice*, 813 F.2d 473, 475 (1st Cir.1987); *Williams v. FBI*, 730 F.2d 882, 884–85 (2d Cir.1984); *Ferguson v. FBI*, 957 F.2d 1059, 1070 (2d Cir.1992); *Kuehnert v. FBI*, 620 F.2d 662, 666 (8th Cir.1980). The D.C. Circuit has rejected this analysis as reading the threshold out of the statute and has adopted a “rational nexus” rule: in

order for documents stemming from an investigation to be withheld under any of the (b)(7) exemptions, the agency must demonstrate that there is a “nexus between the investigation and one of the agency's law enforcement duties [that is] based on information sufficient to support at least ‘a colorable claim’ of its rationality.” *Pratt v. Webster*, 673 F.2d 408, 421 (D.C.Cir.1982). The Ninth Circuit appears to have adopted this test as well. *Wiener*, 943 F.2d at 985. See also *Arenberg v. DEA*, 849 F.2d 579, 581 (11th Cir.1988).

While at first blush the “nexus” rule might seem better tailored to FOIA's goal of “open[ing] agency action to the light of public scrutiny,” closer inspection reveals that the *per se* rule comports more fully with the policies Congress enacted in FOIA. For example, Exemption 7(C) protects against “unwarranted invasion of personal privacy.” A document may be withheld if it meets the “law enforcement” threshold and if its release could subject an individual to embarrassment or harassment as a result of being identified as a subject of FBI inquiry. The “nexus” rule would protect that individual's privacy when the FBI acts within its statutory mandate but not when the FBI undertakes an unauthorized investigation. Such a result would be an anomaly and “would harm innocent individuals who had no way to test the legality of an FBI investigation.” *Irons v. Bell*, 596 F.2d at 474. The same analysis applies to Exemptions 7(B) and 7(F), which are not at issue in this appeal.

Exemption 7(D) is meant to protect the confidentiality of sources and thus to enhance the ability of federal agencies to gain their cooperation. Without the *per se* rule a source who cooperated with an understanding of confidentiality might be subject to *246 exposure “whenever [a court] determines an investigation by a law enforcement agency [was] unfounded,” and the possibility of such exposure through FOIA will “substantially impair federal law enforcement.” *Williams*, 730 F.2d at 885; see also *Irons v. Bell*, 596 F.2d at 474–75.

The D.C. Circuit based its adoption of the “nexus” test in part on its finding that Congress intended the 1974 FOIA amendments to narrow the law enforcement exemption and to prevent agencies from overbroad withholding of administrative and regulatory records under the guise of general law enforcement.⁷ *Pratt*, 673 F.2d at 417. However, we are persuaded that the amendments did not intend to make the law enforcement threshold the principal enforcer of this policy. The primary effect of the amendments upon § (b)(7) was the insertion of the six subcategories, thereby adding the requirement “that the agency demonstrate that

disclosure of a law enforcement investigatory record would cause one of six specific harms.” *Irons v. Bell*, 596 F.2d at 474–75. We conclude from this that Congress considered the enumeration of these specific bases for withholding material to be the principal means for narrowing the law enforcement exemption. The concern about overbroad withholding should therefore be addressed by proper scrutiny of the claimed exemptions themselves and not by use of a blunt instrument at the threshold which would harm the other policies Congress deemed important. See *Irons v. Bell*, 596 F.2d at 476. In the instant case we have taken a large sample of the documents *in camera* in order to engage in heightened scrutiny of the exemptions.

There may be cases in which this court will be required to decide whether a given federal agency qualifies as a law enforcement agency for the purpose of claiming the (b) (7) exemptions in a given case. Or there may be cases in which an investigation is so far beyond the authority of the agency or so Gestapo-like in its methods that we would say that it does not meet the test for the law enforcement exception. Here, however, the FBI is the archetypical federal law enforcement agency and its methods were not so far out of bounds that the overall investigation is outside the law enforcement exception. Applying the *per se* rule in this case, therefore, we find that the documents at issue here are “records or information compiled for law enforcement purposes” and that the FBI may claim the (b)(7) exemptions. We need not dispute plaintiff's contention that certain activity conducted under COINTELPRO targeted him and other individuals because of their exercise of First Amendment rights to free expression and free association. To the extent that the agency violates the constitutional rights of citizens, there are remedies such as *Bivens* actions, or § 1983 in the case of state and local law enforcement agencies. FOIA was intended as a sunshine measure to bring agency operations to public knowledge within specified limits, not as the primary vehicle for prosecuting agency misbehavior.

Exemption 7(C)

[9] Documents which meet the law enforcement threshold and whose release “could reasonably be expected to constitute an *unwarranted invasion of personal privacy* ” may be withheld or redacted. 5 U.S.C. § 552(b)(7)(C) (emphasis added). The use of the word “unwarranted” requires the court to balance the privacy interest of the individual in the document against the public interest in disclosure. *Rose*, 425

U.S. at 372–73, 96 S.Ct. at 1604–05. The Supreme Court has defined that public interest in terms of the relationship of the information requested to the purpose of FOIA “ ‘to open agency action to the light of public scrutiny.’ ” *Reporters Committee*, 489 U.S. at 772, 109 S.Ct. at 1481 (quoting *Rose*, 425 U.S. at 361, 372, 96 S.Ct. at 1599, 1604). Here, the FBI has withheld the identities of its own agents, other federal employees, state and local law enforcement personnel, confidential informants, and other third parties who appear in the documents.

This circuit has previously found that federal law enforcement officials “have the right to be protected against public disclosure of *247 their participation in law enforcement investigations pursuant to exemption (b)(7)(C).” *Ingle*, 698 F.2d at 269; see also *Kiraly*, 728 F.2d at 276 n. 6. On the other side of the equation, FOIA recognizes the disclosure interest of the *public*, not the private litigant. *Reporters Committee*, 489 U.S. at 771, 109 S.Ct. at 1480–81 (“the identity of the requesting party has no bearing on the merits of his or her FOIA request”); see also *Kiraly*, 728 F.2d at 279. Under FOIA the public has an interest in knowing what the agency is doing. This interest certainly includes knowledge of official abuse, corruption, and illegal acts, but the evidence before us does not show that disclosure of the identities of individual agents will significantly further that interest. In most cases, as the district court concluded, “[t]he identity of these persons does not shed any light on the operations of the FBI.” Opinion & Order, Aug. 12, 1992, at 12. From our *in camera* review, we conclude that the withholding of these identities does not significantly limit the picture these documents paint as to what the FBI was up to and what it knew about plaintiff, Afro Set, and their activities. Disclosure of the identities of FBI agents in these documents is therefore “unwarranted” in the terms of Exemption 7(C).

[10] We must reject plaintiff’s argument that certain agents waived 7(C) protection by testifying at plaintiff’s habeas proceeding. Exemption 7(C) leaves the decision about publicity—whether and how much to reveal about herself—in the power of the individual whose privacy is at stake. *Reporters Committee*, 489 U.S. at 763, 109 S.Ct. at 1476 (the privacy interest “encompass[es] the individual’s control of information concerning his or her person”). The fact that an agent decided or was required to testify or otherwise come forward in other settings does not give plaintiff a right under FOIA to documents revealing the fact and nature of her employment. *Kiraly*, 728 F.2d at 280.

The analysis above applies equally to other federal employees and to state and local law enforcement personnel, see *Massey v. F.B.I.*, 3 F.3d 620, 624 (2d Cir.1993), and with at least equal force to third parties interviewed by the FBI or who provided information in the course of their employment. The analysis applies *a fortiori* to other third parties appearing in the documents, for whom connection with an FBI investigation carries significant risk of embarrassment and about whom even less argument can be made as to the public’s interest in disclosure of their identities. As the Supreme Court has written, “FOIA’s central purpose is to ensure that the *Government’s* activities be opened to the sharp eye of public scrutiny, not that information about *private citizens* that happens to be in the warehouse of the Government be so disclosed.” *Reporters Committee*, 489 U.S. at 774, 109 S.Ct. at 1482 (emphasis in original).

Exemption 7(D)

[11] Documents which meet the threshold and whose release “could reasonably be expected to disclose the identity of a *confidential source*, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis,” may be withheld or redacted. 5 U.S.C. § 552(b)(7)(D) (emphasis added). This exemption does not involve a balancing of public and private interests; if the source was confidential, the exemption may be claimed regardless of the public interest in disclosure. *Lesar*, 636 F.2d at 492; *Irons v. F.B.I.*, 880 F.2d 1446, 1449 (1st Cir.1989) (*en banc*); *Ferguson*, 957 F.2d at 1068; *McDonnell*, 4 F.3d at 1258.

The Supreme Court has recently analyzed this exemption. *U.S. Dep’t of Justice v. Landano*, 508 U.S. 165, 113 S.Ct. 2014, 124 L.Ed.2d 84 (1993). In *Landano*, the Court wrote that “a source is confidential within the meaning of Exemption 7(D) if the source ‘provided information under an express assurance of confidentiality or in circumstances from which such an assurance could be reasonably inferred.’ ” *Id.* at —, 113 S.Ct. at 2019 (quoting S.Rep. No. 1200, 93rd Cong. 2d Sess. 13 (1974)), U.S. Code Cong. & Admin. News 1974 at pp. 6267–6291. The Court unanimously held that the government is not entitled to a presumption that all sources supplying information to the FBI in the course of a criminal investigation are confidential within the meaning of Exemption 7(D). However, in some narrowly defined *248 circumstances, having to do with the nature of the crime at issue and the source’s relation to the crime, it

may be reasonable to presume that certain categories of sources cooperated with the FBI with an implied assurance of confidentiality. *Id.* at —, 113 S.Ct. at 2023–24. Justice O'Connor gave as an example paid informants, about whom “it is reasonable to infer that [they] normally expect their cooperation with the FBI to be kept confidential.” *Id.* at —, 113 S.Ct. at 2023. “There may well be other generic circumstances in which an implied assurance of confidentiality fairly can be inferred.” *Id.* *Landano* did not disturb the obvious point that sources who spoke with *express* assurances of confidentiality are always “confidential” for FOIA purposes. *Id.* at —, 113 S.Ct. at 2019–20.

The FBI originally claimed Exemption 7(D) with regard both to sources who were expressly guaranteed confidentiality and to sources who gave information to the FBI under circumstances from which the agency argued that confidentiality had been implied. Rather than test the application of *Landano* to “implied” confidentiality under the circumstances of the instant case, the FBI conducted a re-review of the documents in the augmented sample against both the new standard for 7(D) and the new policy of greater disclosure which had been promulgated by the White House and applied to the Department of Justice by memorandum of Attorney General Janet Reno dated October 4, 1993. The agency asserts that it has now released to plaintiff any material in the augmented sample which formerly was withheld under 7(D) but which cannot now be withheld on the grounds of an express guarantee of confidentiality.⁸ First Declaration of SA Michael D. Turner ¶¶ 3–7. Agent Turner asserts that it is clear from the faces of documents, from their context, and from his knowledge of routine FBI practices that the sources in connection with whom the FBI still claims Exemption 7(D) received *express* assurances of confidentiality. Second Turner Declaration ¶ 3. On the basis of our *in camera* review, we find the Turner Declarations reliable.

The FBI withheld source symbol numbers, file numbers, and temporary symbols used to protect the identities of confidential sources, asserting that “[t]hese are reserved for confidential sources, whether individuals or organizations, who provide sensitive information to the FBI on a regular basis.” First Scheuplein Declaration ¶ 44. Plaintiff argues that such use only shows that the FBI endows the source with secrecy, not that the source itself understood its transaction with the FBI to be confidential. Based on our *in camera* review, including scrutiny of the type of information supplied by the sources, we find that in this case the FBI has used these numbers and symbols as described in the affidavits.

[12] The FBI has also properly withheld information furnished in confidence by financial or commercial institutions. The agency maintains that use of 7(D) as to this subcategory is appropriate because the documents assign source symbols to the individuals involved or contain words which indicate that the information in the documents is not to be made public except pursuant to subpoena. Second Turner Declaration ¶ 7. Again, we find on the basis of our review that the circumstances adequately indicate that this information was furnished under an express guarantee of confidentiality. The material withheld is such as “could reasonably” disclose the identity of these sources.

The FBI has also invoked 7(D) with respect to three documents in the sample containing information provided by non-Federal law enforcement agencies. Second Turner Declaration ¶ 10. By the terms of the statute, such agencies may be confidential sources, and our review confirms the agency's assertion that the express assurance of confidentiality is clear from the face of the documents.

[13] Plaintiff argues that the FBI cannot use Exemption 7(D) where the identity of the person in question is known —e.g., the confidential informant who became the lead government witness in the murder case against him. We must reject this argument. Although *249 the Supreme Court left this question open in its recent *Landano* opinion, at 2014, 113 S.Ct. at 2020, the majority of appellate decisions construe the language of 7(D) to provide for exemption if the source cooperated with the FBI with an understanding of confidentiality and do not engage in any calculus as to the extent to which that source has already been revealed. *Kiraly*, 728 F.2d at 278–80; *Lesar*, 636 F.2d at 491; *Parker v. Dep't of Justice*, 934 F.2d 375, 380–81 (D.C.Cir.1991); *Irons v. F.B.I.*, 880 F.2d at 1449, 1456–57; *Ferguson*, 957 F.2d at 1068. We agree with these courts that 7(D) focuses on the source's intent, not the world's knowledge; it provides for nondisclosure of all sources who provided information with an understanding of confidentiality, not for protection of only those sources whose identity remains a secret at the time of future FOIA litigation. To hold otherwise would discourage sources from cooperating with the FBI because of fear of revelation via FOIA.

Exemption 7(E)

FOIA Exemption 7(E) permits a federal agency to withhold materials which “would disclose *techniques and procedures* for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law[.]” 5 U.S.C. § 552(b)(7) (E) (emphasis added). The FBI used this exemption “to withhold lawful investigative techniques not generally known to the public which continue to be successfully used today” and asserts that “[t]he disclosure of these techniques could result in subjects of FBI investigations taking additional steps to avoid detection.” Second Scheuplein Declaration ¶ 12. As a result of our *in camera* inspection, we find that the FBI has properly used 7(E) to delete information regarding investigative techniques.

V. Destruction of Documents and Discovery

The discussion thus far has had to do with documents in various FBI files at the time of plaintiff's FOIA request. Plaintiff also raises issues relating to documents which by the agency's own admission were destroyed prior to the request. The fact of destruction was introduced into this case by the FBI itself, as the agency's original release of documents to plaintiff included an inventory worksheet indicating document serials which had been destroyed, as well as declaratory material explaining the destruction.

[14] In the context of a FOIA action, we cannot order the FBI to make amends for any documents destroyed prior to the request because a FOIA request pertains only to material in the possession of the agency at the time of the request. *Kissinger v. Reporters Committee for Freedom of Press*, 445 U.S. 136, 151–52, 100 S.Ct. 960, 969, 63 L.Ed.2d 267 (1980); *Weisberg v. Dep't of Justice*, 705 F.2d 1344, 1363 (D.C.Cir.1983); *Badhwar v. Dep't of Air Force*, 629 F.Supp. 478, 481 (D.D.C.1986), *aff'd in part, vacated in part on other grounds*, 829 F.2d 182 (D.C.Cir.1987).

Plaintiff argues that the destruction is nonetheless relevant because there is a pattern in it centering on the period of his murder conviction. Plaintiff asserts that this pattern destroys the presumption of good faith that normally attends agency affidavits in FOIA actions and seeks discovery to pursue this issue. We cannot tell from the parties' submissions whether or not the FBI improperly destroyed any documents. Yet

even if we credit plaintiff's claims, the only result is that the presumption of good faith falls from the agency's affidavits and summary judgment cannot be granted on their basis. This court has already reached that conclusion. We have conducted an *in camera* review of the augmented sample, scrutinizing the FBI's use of various exemptions to withhold material responsive to plaintiff's FOIA request, and we have found that the agency's withholdings were proper. Therefore, there remains no genuine issue of material fact concerning the destruction of documents in this case.

Plaintiff also requests discovery as to the exemptions claimed and the FBI's purpose in investigating him. Our *in camera* review of the exemptions as described above convinces us that the FBI has acted in good faith and has properly withheld responsive material. *250 As to the purpose behind the FBI's investigations of Harlell Jones and Afro Set, we found above that the operation met the law enforcement threshold for FOIA purposes despite any misconduct engaged in under its auspices. We therefore agree with the magistrate and the district court that discovery is not warranted on these issues either.

[15] We are mindful of the difficulty plaintiffs face in litigating under FOIA, but a FOIA request is not a substitute for the normal process of discovery in civil and criminal cases. *John Doe Agency*, 493 U.S. at 153, 110 S.Ct. at 475–76; *Irons v. Bell*, 596 F.2d at 475 & n. 15 (“a criminal defendant or even a civil litigant may have rights of access [to records] not available to the general public under FOIA”). This point has already been well demonstrated in this case. During discovery related to his habeas petition, plaintiff was able to obtain certain materials which had been withheld under FOIA. This is as it should be. FOIA's scheme of exemptions does not curtail a plaintiff's right to discovery in related non-FOIA litigation; but neither does that right entitle a FOIA plaintiff to circumvent the rules limiting release of documents under FOIA.

* * * * *

For the reasons stated above, we AFFIRM the district court's grant of summary judgment to defendant.

All Citations

41 F.3d 238, 1994 Fed.App. 0391P




















Footnotes

- 1 Plaintiff originally named nine other institutional and individual defendants. The FBI is the only remaining party defendant.
- 2 Judges Battisti, Krupansky, Manos, Krenzler, Dowd, Bell, Batchelder, and Matia. The case was first assigned to Judge Matia in December 1991.
- 3 See Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Final Report, S.Rep. No. 94–755, 94th Cong., 2d Sess. (1976).
- 4 Federal agencies are permitted to withhold material in requested documents for various reasons. Five of these statutory exemptions are at issue in this case: (1), concerning national defense or foreign policy; (2), concerning internal personnel rules and practices; (7)(C), concerning personal privacy; (7)(D), concerning confidential informants and information; and (7)(E), concerning agency techniques and procedures. [5 U.S.C. § 552\(b\)](#).
- 5 The entire document pool was procedurally before the district court, which chose to view only a portion of it selected by random sample. Because the entire pool was also therefore before us, and because our review is *de novo*, it was not necessary for us to remand to the district court to view the expanded sample.
- 6 The full text provides for the withholding of “records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual [.]” [5 U.S.C. § 552\(b\)\(7\)](#).
- 7 Before the 1974 amendments, § (b)(7) simply provided that disclosure did not apply to “investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency[.]”
- 8 The FBI concedes that it is now obligated to perform this same review and release upon the entire document set, Supplemental Brief at 5 n. 3, and we hereby order it to do so.

Negative Treatment

Negative Citing References (12)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Follow by	 1. Davin v. U.S. Dept. of Justice  MOST NEGATIVE	Aug. 01, 1995	Case		8 9 F.3d
Not Followed on State Law Grounds	 2. Flowers v. Office of the Governor	Aug. 08, 2017	Case		—
Declined to Extend by	3. Rimmer v. Holder 	Nov. 21, 2012	Case		4 9 11 F.3d
Distinguished by	 4. Rugiero v. U.S. Dept. of Justice 	Oct. 19, 1998	Case		3 4 F.3d
Distinguished by	 5. Rugiero v. U.S. Dept. of Justice 	July 12, 2001	Case		3 4 9 F.3d
Distinguished by	6. Gordon v. F.B.I. 	June 23, 2005	Case		9 11 12 F.3d
Distinguished by	7. Accuracy in Media, Inc. v. National Transp. Safety Bd. 	Mar. 29, 2006	Case		3 9 F.3d
Distinguished by	8. Peltier v. F.B.I. 	Apr. 29, 2009	Case		2 3 9 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
	GOVERNMENT - Records. Public interest in disclosure of withheld documents under Freedom of Information Act did not outweigh privacy interests.				
Distinguished by	9. Rimmer v. Holder ” 2011 WL 4431828 , M.D.Tenn. Pending before the court is the defendants' Motion for Summary Judgment on Plaintiff's Claim under the Freedom of Information Act ("FOIA") (Docket No. 27), to which the plaintiff...	Sep. 22, 2011	Case		3 F.3d
Distinguished by	10. Smith v. Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives 2014 WL 3565634 , E.D.Mich. This matter is presently before the Court on the Report and Recommendation (R & R) of Magistrate Judge David R. Grand, issued on June 24, 2014. R & R (Dkt.25). In the R & R, the...	July 18, 2014	Case		4 F.3d
Distinguished by	11. Public.Resource.org v. United States Internal Revenue Service 78 F.Supp.3d 1262 , N.D.Cal. GOVERNMENT — Records. IRS tax return data records were readily reproducible, under FOIA, in format requested by non-profit organization.	Jan. 29, 2015	Case		5 F.3d
Distinguished by	12. Schaerr v. United States Department of Justice ” 435 F.Supp.3d 99 , D.D.C. GOVERNMENT — Records. Department of Justice and its agencies were not required to confirm or deny existence of documents in response to Freedom of Information Act request.	Jan. 28, 2020	Case		8 F.3d

Citing References (272)

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	1. Rimmer v. Holder ¶ 700 F.3d 246, 255+ , 6th Cir.(Tenn.) GOVERNMENT - Records. FBI properly withheld identifying information under FOIA exemption for law enforcement documents.	Nov. 21, 2012	Case		4 9 11 F.3d
Distinguished by NEGATIVE	2. Schaerr v. United States Department of Justice ¶ 435 F.Supp.3d 99, 114+ , D.D.C. GOVERNMENT — Records. Department of Justice and its agencies were not required to confirm or deny existence of documents in response to Freedom of Information Act request.	Jan. 28, 2020	Case		8 F.3d
Distinguished by NEGATIVE	3. Smith v. Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives 2014 WL 3565634, *4+ , E.D.Mich. This matter is presently before the Court on the Report and Recommendation (R & R) of Magistrate Judge David R. Grand, issued on June 24, 2014. R & R (Dkt.25). In the R & R, the...	July 18, 2014	Case		4 F.3d
Distinguished by NEGATIVE	4. Peltier v. F.B.I. ¶ 563 F.3d 754, 759+ , 8th Cir.(Minn.) GOVERNMENT - Records. Public interest in disclosure of withheld documents under Freedom of Information Act did not outweigh privacy interests.	Apr. 29, 2009	Case		2 3 9 F.3d
Distinguished by NEGATIVE	5. Accuracy in Media, Inc. v. National Transp. Safety Bd. ¶ 2006 WL 826070, *8+ , D.D.C. Plaintiff Accuracy in Media, Inc. ("AIM"), a non-profit corporation engaged in the business of promoting fairness, balance, and accuracy in news, brings this action against...	Mar. 29, 2006	Case		3 9 F.3d
Distinguished by NEGATIVE	6. Gordon v. F.B.I. ¶ 388 F.Supp.2d 1028, 1043+ , N.D.Cal. GOVERNMENT - Records. FOIA exemption for law enforcement records did not apply to FBI documents containing legal basis to detain someone.	June 23, 2005	Case		9 11 12 F.3d
Distinguished by NEGATIVE	7. Rugiero v. U.S. Dept. of Justice ¶ 257 F.3d 534, 544+ , 6th Cir.(Mich.) GOVERNMENT - Records. Affidavit was insufficient to justify withholding of law enforcement documents in response to FOIA request.	July 12, 2001	Case		3 4 9 F.3d
Examined by	8. Siegelman v. United States Department of Justice ¶ 2017 WL 10575170, *4+ , N.D.Ala. This is an action under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA") for injunctive relief. (Doc. 1). Plaintiff Joseph Siegelman seeks disclosure of records that he...	Mar. 31, 2017	Case		2 4 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	9. Neuhausser v. U.S. Dept. of Justice ¶ 2006 WL 1581010, *4+ , E.D.Ky. This matter is before the Court for consideration of the parties' cross-motions for summary judgment. [Record Nos. 84, 86] For the reasons discussed herein, summary judgment will...	June 06, 2006	Case		4 F.3d
Examined by	10. Warren v. U.S. ¶ 2000 WL 1868950, *3+ , N.D.Ohio Plaintiffs Ralph Warren, Jr. and Katherine Warren (collectively, "the Warrens"), and their company Warren Money Systems ("WMS") bring this action against the United States of...	Oct. 31, 2000	Case		8 9 11 F.3d
Distinguished by NEGATIVE	11. Rimmer v. Holder ¶ 2011 WL 4431828, *6+ , M.D.Tenn. Pending before the court is the defendants' Motion for Summary Judgment on Plaintiff's Claim under the Freedom of Information Act ("FOIA") (Docket No. 27), to which the plaintiff...	Sep. 22, 2011	Case		3 F.3d
Distinguished by NEGATIVE	12. Rugiero v. U.S. Dept. of Justice ¶ 35 F.Supp.2d 977, 983+ , E.D.Mich. Freedom of Information Act (FOIA) action was brought by defendant who had been convicted of narcotics and weapons offenses against Department of Justice and Department of...	Oct. 19, 1998	Case		3 4 F.3d
Discussed by	13. American Civil Liberties Union of Michigan v. F.B.I. 734 F.3d 460, 465+ , 6th Cir.(Mich.) GOVERNMENT - Records. Information about FBI's use of community-level racial and ethnic demographic data was exempt from FOIA disclosure.	Aug. 21, 2013	Case		8 9 F.3d
Discussed by	14. Detroit Free Press, Inc. v. Department of Justice ¶ 73 F.3d 93, 95+ , 6th Cir.(Mich.) Newspaper sought to compel release, pursuant to Freedom of Information Act (FOIA), of mug shots of subjects of federal grand jury indictments. The United States District Court...	Jan. 12, 1996	Case		1 9 F.3d
Discussed by	15. Jordan v. U.S. Dept. of Justice ¶ 668 F.3d 1188, 1193+ , 10th Cir.(Colo.) GOVERNMENT - Records. Portion of prisoner's psychological records advising prison staff as to action to take was exempt from disclosure under FOIA.	Dec. 23, 2011	Case		8 9 F.3d
Discussed by	16. Lawless v. Security & Exchange Commission 2022 WL 2784771, *2+ , C.D.Cal. On April 26, 2022, defendant the Securities and Exchange Commission ("SEC") filed a Motion for a Protective Order. Docket no. 87. Defendant asks the court to preclude plaintiff...	May 20, 2022	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	17. Lawyers' Committee for Civil Rights of San Francisco Bay Area v. U.S. Dept. of the Treasury 534 F.Supp.2d 1126, 1131+ , N.D.Cal. GOVERNMENT - Records. Department of Treasury's records search in response to civil rights organization's FOIA request was reasonable.	Feb. 14, 2008	Case		3 15 F.3d
Discussed by	18. Hiken v. Department of Defense ” 521 F.Supp.2d 1047, 1056+ , N.D.Cal. GOVERNMENT - Records. Documents relating to rules of engagement in effect in Iraq fell within scope of Freedom of Information Act exemption.	Oct. 02, 2007	Case		6 F.3d
Discussed by	19. Laughlin v. C.I.R. ” 103 F.Supp.2d 1219, 1223+ , S.D.Cal. GOVERNMENT - Records. IRS satisfied it Freedom of Information Act obligations.	Sep. 29, 1999	Case		4 14 F.3d
Discussed by	20. Khatchadourian v. Defense Intelligence Agency ” 453 F.Supp.3d 54, 79+ , D.D.C. GOVERNMENT — Records. Task force report assessing damage caused by unauthorized leak of government information fell within scope of FOIA exemption for classified material.	Mar. 19, 2020	Case		4 F.3d
Discussed by	21. Strunk v. U.S. Dept. of State ” 770 F.Supp.2d 10, 16+ , D.D.C. GOVERNMENT - Records. Department of State (DOS) conducted reasonable and adequate Freedom of Information Act (FOIA) search.	Mar. 10, 2011	Case		14 F.3d
Discussed by	22. Sinito v. U.S. Dept. of Justice 2000 WL 36691372, *10+ , D.D.C. This case comes before the Court on cross-motions for summary judgment and concerns the efforts of the plaintiff to gain access pursuant to the Freedom of Information Act, 5 U.S.C....	July 12, 2000	Case		11 F.3d
Discussed by	23. Hohman v. Internal Revenue Service 2017 WL 6884334, *3+ , E.D.Mich. Plaintiff Jodi C. Hohman filed the instant Complaint for Injunctive Relief against Defendants, the Internal Revenue Service (IRS) and the United States Department of the Treasury,...	Dec. 18, 2017	Case		4 F.3d
Discussed by	24. Hertz Schram PC v. F.B.I. 2014 WL 764682, *3+ , E.D.Mich. This is a case brought under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The matter is presently before the Court on the motion for summary judgment (Dkt.26) filed by...	Feb. 25, 2014	Case		4 F.3d
Discussed by	25. Jones v. I.R.S. 2008 WL 1901208, *3+ , W.D.Mich. Plaintiff Jones has brought this action against the IRS under the Freedom of Information Act, 5 U.S.C. 552 ("FOIA"). This matter is before the Court on Defendant's Motion for...	Apr. 25, 2008	Case		3 4 F.3d













Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 26. Detroit Free Press v. U.S. Dept. of Justice ¶¶</p> <p>174 F.Supp.2d 597, 599+ , E.D.Mich.</p> <p>GOVERNMENT - Records. FBI had to produce for in camera review all documents relating to disappearance of union president.</p>	Nov. 21, 2001	Case		<p>2</p> <p>3</p> <p>4</p> <p>F.3d</p>
Discussed by	<p>27. Apotosky v. Federal Bureau of Investigation ¶¶</p> <p>2017 WL 1093890, *2+ , N.D.Ohio</p> <p>Before the Court is a dispositive motion filed by plaintiff Wayne Apotosky (“plaintiff” or “Apotosky”). (Doc. No. 47 [“P–MSJ”].) Rather than formally oppose this motion, defendants...</p>	Mar. 23, 2017	Case		<p>3</p> <p>4</p> <p>5</p> <p>F.3d</p>
Discussed by	<p>28. Simbaqueba v. U.S. Dept. of Defense</p> <p>2012 WL 2133597, *5+ , S.D.Ohio</p> <p>This matter is before the Court on Plaintiff’s “Supplement to Nun[c]–Pro–Tunc Motion for Continuance to Permit Discovery Pursuant to Fed.R.Civ.P. 56(d)” (Doc. 20), which the Court...</p>	June 11, 2012	Case		<p>4</p> <p>F.3d</p>
Discussed by	<p>29. Sinkfield v. Department of Housing and Urban Development ¶¶</p> <p>2012 WL 893876, *2+ , S.D.Ohio</p> <p>Plaintiff Eddie Sinkfield, proceeding pro se, brings this action against the United States Department of Housing and Urban Development (HUD) seeking to compel the disclosure of...</p>	Mar. 15, 2012	Case		<p>3</p> <p>4</p> <p>5</p> <p>F.3d</p>
Discussed by	<p>30. Knittel v. I.R.S.</p> <p>2009 WL 2163619, *4+ , W.D.Tenn.</p> <p>GOVERNMENT - Records. Genuine issue of material fact as to the privacy interests at stake precluded summary judgment.</p>	July 20, 2009	Case		<p>2</p> <p>3</p> <p>4</p> <p>F.3d</p>
Discussed by	<p>31. Southern Appalachian Biodiversity Project v. U.S. Forest Service ¶¶</p> <p>500 F.Supp.2d 764, 768+ , E.D.Tenn.</p> <p>GOVERNMENT - Records. Records were exempt from disclosure under Freedom of Information Act exemption for interagency memorandums or letters.</p>	June 26, 2007	Case		<p>2</p> <p>3</p> <p>4</p> <p>F.3d</p>
Discussed by	<p>32. Withey v. Federal Bureau of Investigation ¶¶</p> <p>477 F.Supp.3d 1167, 1173+ , W.D.Wash.</p> <p>GOVERNMENT — Records. Government’s Glomar response to FOIA request to FBI focused on role that alleged FBI informant may have played in two murders was appropriate.</p>	Aug. 06, 2020	Case		<p>9</p> <p>11</p> <p>15</p> <p>F.3d</p>
Declined to Follow by 	<p> 33. Davin v. U.S. Dept. of Justice ¶¶</p> <p>60 F.3d 1043, 1054 , 3rd Cir.(Pa.)</p> <p>Graduate history student brought Freedom of Information Act (FOIA) suit against Federal Bureau of Investigation (FBI), seeking disclosure of records pertaining to organization that...</p>	Aug. 01, 1995	Case		<p>8</p> <p>9</p> <p>F.3d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 34. Commonwealth of Puerto Rico v. U.S. ¶ 490 F.3d 50, 68 , 1st Cir.(Puerto Rico) ADMINISTRATIVE PRACTICE - Judicial Review. Puerto Rico did not have cause of action for nonstatutory review of FBI's refusal to disclose requested materials.	June 15, 2007	Case		9 F.3d
Cited by	35. Carpenter v. U.S. Dept. of Justice ¶ 470 F.3d 434, 440 , 1st Cir.(Mass.) GOVERNMENT - Records. FOIA's law enforcement exemption applied to criminal defendant's seeking documents supplied to prosecutors by private person.	Dec. 12, 2006	Case		10 F.3d
Cited by	 36. Halpern v. F.B.I. 181 F.3d 279, 298 , 2nd Cir.(N.Y.) Researcher brought action against United States Department of Justice alleging that Federal Bureau of Investigation (FBI) violated Freedom of Information Act (FOIA) by improperly...	June 22, 1999	Case		2 F.3d
Cited by	37. Grand Cent. Partnership, Inc. v. Cuomo 166 F.3d 473, 485 , 2nd Cir.(N.Y.) Requester brought action against Department of Housing and Urban Development (HUD) under Freedom of Information Act (FOIA), alleging wrongful withholding of requested documents and...	Jan. 28, 1999	Case		9 F.3d
Cited by	 38. Neely v. F.B.I. ¶ 208 F.3d 461, 465 , 4th Cir.(Va.) GOVERNMENT - Records. Certain information in inmate's FBI file was potentially exempt from disclosure under FOIA.	Mar. 30, 2000	Case		9 F.3d
Cited by	 39. Batton v. I.R.S. ¶ 718 F.3d 522, 525 , 5th Cir.(Tex.) GOVERNMENT - Records. Taxpayer was eligible to receive attorney fees in Freedom of Information Act case against government agency.	June 20, 2013	Case		2 3 5 F.3d
Cited by	 40. Batton v. Evers ¶ 598 F.3d 169, 174 , 5th Cir.(Tex.) GOVERNMENT - Records. District court should have required IRS to produce Vaughn index in Freedom of Information Act (FOIA) case.	Feb. 24, 2010	Case		2 3 F.3d
Cited by	 41. EMW Women's Surgical Center, P.S.C. v. Friedlander ¶ 978 F.3d 418, 442 , 6th Cir.(Ky.) FAMILY LAW — Abortion. Kentucky's requirement that abortion facilities have transfer and transport agreements did not impose undue burden on right to abortion.	Oct. 16, 2020	Case		3 4 F.3d
Cited by	42. Kibbe v. United States 2018 WL 7626957, *2 , 6th Cir.(Mich.) Dean R. Kibbe, a Michigan resident proceeding pro se, appeals a district court order granting summary judgment for the defendant and denying an injunction in his civil action under...	Sep. 25, 2018	Case		4 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	43. Davidson v. Federal Bureau of Prisons 2017 WL 8897005, *4+ , 6th Cir.(Ky.) Clifton B. Davidson, a federal prisoner proceeding pro se, appeals the district court's order dismissing his civil action. This case has been referred to a panel of the court that...	Nov. 29, 2017	Case		4 F.3d
Cited by	44. Kohake v. Department of Treasury ¶ 630 Fed.Appx. 583, 588 , 6th Cir.(Ohio) GOVERNMENT - Records. Search that IRS conducted for records in response to FOIA request was reasonable.	Nov. 17, 2015	Case		14 F.3d
Cited by	45. Shafizadeh v. Bureau of Alcohol, Tobacco and Firearms 229 F.3d 1153, 1153+ , 6th Cir.(Ky.) Saeid Shafizadeh appeals pro se a district court judgment dismissing the action he filed pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. This case has been...	Aug. 10, 2000	Case		—
Cited by	46. Fair Housing Advocates Ass'n, Inc. v. City of Richmond Heights, Ohio ¶ 209 F.3d 626, 635+ , 6th Cir.(Ohio) REAL PROPERTY - Discrimination. City occupancy ordinances were exempt from FHA provision barring familial status discrimination.	Apr. 13, 2000	Case		5 F.3d
Cited by	47. Abraham & Rose, P.L.C. v. U.S. 138 F.3d 1075, 1078+ , 6th Cir.(Mich.) Requester brought suit under Freedom of Information Act (FOIA), seeking computerized records of federal tax lien filings from districts offices of Internal Revenue Service (IRS). ...	Mar. 13, 1998	Case		7 F.3d
Cited by	48. U.S. v. Larson 124 F.3d 201, 201 , 6th Cir.(Mich.) One defendant, Eric Wayne Larson, appeals from the sentence imposed as a result of his guilty plea; and three defendants, James Alfred Maki, Christopher M. Dieball, and Michael...	Aug. 28, 1997	Case		—
Cited by	49. Parsons v. Freedom of Information Act Officer 121 F.3d 709, 709 , 6th Cir.(Ohio) Roger L. Parsons, an Ohio Citizen, appeals pro se a district court judgment dismissing a complaint he filed pursuant to the Freedom of Information Act (FOIA), 5 U.S.C § 552. This...	Aug. 12, 1997	Case		3 4 F.3d
Cited by	50. Johnston v. U.S. Dept. of Justice ¶ 163 F.3d 602, 602 , 8th Cir.(Neb.) Beryle L. Johnston appeals the district court's judgment for the United States Department of Justice (DOJ) following a bench trial in this action brought under the Freedom of...	Aug. 10, 1998	Case		10 F.3d












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	51. American Civil Liberties Union of Northern California v. Federal Bureau of Investigation 881 F.3d 776, 778 , 9th Cir.(Cal.) GOVERNMENT — Records. FBI did not need to link guidelines and other generalized documents to enforcement of specific federal law in order to claim FOIA exemption.	Feb. 01, 2018	Case		8 9 F.3d
Cited by	52. Animal Legal Defense Fund v. Food and Drug Admin. 819 F.3d 1102, 1111 , 9th Cir.(Cal.) GOVERNMENT - Records. Information facilitating possible underbidding was properly redacted in FOIA case.	Apr. 11, 2016	Case		1 F.3d
Cited by	53. Lahr v. National Transp. Safety Bd. 569 F.3d 964, 990 , 9th Cir.(Cal.) GOVERNMENT - Records. Eyewitnesses to airline disaster had cognizable privacy interest for purposes of FOIA's law enforcement/privacy exemption.	June 22, 2009	Case		6 F.3d
Cited by	54. Schiffer v. F.B.I. 78 F.3d 1405, 1408+ , 9th Cir.(Cal.) Individual brought action against Federal Bureau of Investigation (FBI) seeking disclosure of records relating to investigation of individual under Freedom of Information Act...	Mar. 08, 1996	Case		1 F.3d
Cited by	55. Peralta v. U.S. Attorney's Office 136 F.3d 169, 174 , D.C.Cir. Prison inmate sued local United States Attorney's Office under Freedom of Information Act (FOIA), seeking records relating to his criminal conviction. The United States District...	Feb. 24, 1998	Case		9 F.3d
Cited by	56. American Civil Liberties Union Foundation of Arizona v. United States Department of Homeland Security 2017 WL 8895339, *29+ , D.Ariz. Pending before the Court are: (1) Defendant's Motion for Summary Judgment ("MSJ") (Doc. 39); and (2) Plaintiffs' Cross-Motion for Summary Judgment ("XMSJ") (Doc. 47). This matter...	Jan. 26, 2017	Case		—
Cited by	57. Fabricant v. Department of Justice 2014 WL 12682160, *3 , D.Ariz. Plaintiff Danny Fabricant, who is confined in the U.S. Penitentiary in Tucson, Arizona, filed a pro se civil rights Complaint pursuant to the Freedom of Information Act (FOIA), 5...	Mar. 07, 2014	Case		—
Cited by	58. Estevez v. United States Attorney's Office for Southern District of California 2018 WL 500967, *6 , S.D.Cal. Pending before the Court are both Petitioner Jesus Estevez ("Estevez") and Respondents the United States Attorney's Office for the Southern District of California ("USAO"), the...	Jan. 22, 2018	Case		14 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	59. Ecological Rights Foundation v. Federal Emergency Management Agency 2017 WL 5972702, *11 , N.D.Cal. Pending before the Court are the parties' Cross-Motions for Summary Judgment regarding three Freedom of Information Act (FOIA) requests. EcoRights Mot., Dkt. No. 42; FEMA Mot.,...	Nov. 30, 2017	Case		—
Cited by	60. Brown v. U.S. Dept. of Justice ¶¶ 2015 WL 1237274, *9 , E.D.Cal. This is a Freedom of Information Act ("FOIA" or "Act") case brought by Plaintiff Leonard Brown ("Plaintiff") against the Department of Justice ("DOJ") for denying his...	Mar. 17, 2015	Case		8 9 11 F.3d
Cited by	61. Electronic Frontier Foundation v. Department of Commerce 58 F.Supp.3d 1008, 1010 , N.D.Cal. This case is before the Court on cross-motions for summary judgment. The Plaintiff, Electronic Frontier Foundation ("EFF"), asks the Court to compel the United States Department...	July 12, 2013	Case		—
Cited by	62. Flocker v. Federal Bureau of Investigation ¶¶ 2013 WL 12383752, *9+ , C.D.Cal. James Thomas Flocker ("Plaintiff") has brought this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 ("§ 552"). Compl. ¶ 1, Dkt. 1. He seeks an order directing...	Apr. 18, 2013	Case		8 9 10 F.3d
Cited by	63. Hiken v. Department of Defense 2012 WL 13118568, *13+ , N.D.Cal. This matter is before the court on renewed motions for summary judgment and a supplemental motion for summary judgment filed by defendants. The court has reviewed the submissions...	Feb. 03, 2012	Case		—
Cited by	64. Broemer v. Federal Bureau of Investigation 2011 WL 13142587, *28 , C.D.Cal. Pro se plaintiff Glen Broemer commenced this action on August 21, 2008. On March 2, 2009, the federal defendants moved to dismiss Broemer's first amended complaint. The court...	Apr. 22, 2011	Case		—
Cited by	65. Schulze v. F.B.I. ¶¶ 2011 WL 129716, *3 , E.D.Cal. On December 17, 2010, Plaintiff Michael Schulze filed a motion for leave to depose a defense witness via written interrogatories. (Doc. 95.) On January 10, 2011, Defendants opposed...	Jan. 14, 2011	Case		8 11 F.3d
Cited by	66. Council on American-Islamic Relations, California v. F.B.I. 749 F.Supp.2d 1104, 1122 , S.D.Cal. GOVERNMENT - Records. Names of companies that provided information to FBI during its investigation of mosques were exempt from disclosure.	Oct. 12, 2010	Case		12 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 67. George v. I.R.S. 2007 WL 1450309, *2, N.D.Cal. Before the Court is Defendant United States, Internal Revenue Service ("IRS"), IRS Revenue Officer Jane Allen, and Treasury Secretary John Snow's (collectively "Defendants")...	May 14, 2007	Case		15 F.3d
Cited by	68. Al-Turki v. Department of Justice  2017 WL 11545276, *3, D.Colo. THIS MATTER is before the Court on review of the file. The case involves Plaintiff's request under the Freedom of Information Act ["FOIA"] for all Federal Bureau of Investigation...	Sep. 25, 2017	Case		11 13 F.3d
Cited by	 69. Jordan v. U.S. Dept. of Justice 2010 WL 3023795, *4, D.Colo. This matter is before the Court on Plaintiff's Motion for Judgment as a Matter of Law [Docket No. 81; Filed October 1, 2009] ("Plaintiff's Motion"). Defendants responded [Docket...]	Apr. 19, 2010	Case		9 F.3d
Cited by	70. Hull v. United States Department of Labor 2005 WL 8171424, *9+, D.Colo. Plaintiff Mary Hull ("Hull") brings this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, et seq., to obtain documents from the United States Department of...	Dec. 02, 2005	Case		4 F.3d
Cited by	71. Hawthorn Management Services, Inc. v. Department of Housing & Urban Development  1997 WL 821767, *2, D.Conn. The plaintiff, Hawthorn Management Services, Inc. ("Hawthorn"), brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, against the defendant,...	Dec. 18, 1997	Case		4 F.3d
Cited by	72. Hawkins v. Federal Bureau of Investigation  2022 WL 905577, *7, D.D.C. Plaintiff Colin Hawkins, who is proceeding pro se, filed this lawsuit under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, to compel disclosure of records maintained by...	Mar. 02, 2022	Case		10 15 F.3d
Cited by	73. Citizens United v. United States Department of State 460 F.Supp.3d 12, 25, D.D.C. GOVERNMENT — Records. Research document was properly withheld from disclosure under Freedom of Information Act exemption for information exempted by statute.	May 19, 2020	Case		4 F.3d
Cited by	74. Spurling v. U.S. Department of Justice 425 F.Supp.3d 1, 16+, D.D.C. GOVERNMENT — Records. FBI conducted a sufficient and reasonable search into records requested by state prison inmate.	Dec. 03, 2019	Case		9 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 75. Evans v. Federal Bureau of Prisons  2018 WL 707427, *5 , D.D.C. The plaintiff brings this action under the Freedom of Information Act ("FOIA"), see 5 U.S.C. § 552, against the Federal Bureau of Prisons ("BOP"), a component of the United States...	Feb. 05, 2018	Case		9 15 F.3d
Cited by	76. Ocasio v. Merit Systems Protection Board  244 F.Supp.3d 12, 16 , D.D.C. GOVERNMENT — Records. Merit Systems Protection Board fulfilled its FOIA obligation by producing all records requested, other than notes that had been destroyed.	Mar. 23, 2017	Case		4 8 14 F.3d
Cited by	77. Petrucelli v. Department of Justice  106 F.Supp.3d 129, 136 , D.D.C. GOVERNMENT — Records. Confidential source exception to FOIA applied, regardless of whether sources testified at trial.	May 26, 2015	Case		12 13 15 F.3d
Cited by	 78. Petrucelli v. Department Of Justice  51 F.Supp.3d 142, 168 , D.D.C. GOVERNMENT — Records. Informant's identity was properly withheld under FOIA.	June 27, 2014	Case		7 9 15 F.3d
Cited by	 79. Dent v. Executive Office for U.S. Attorneys 926 F.Supp.2d 257, 270 , D.D.C. GOVERNMENT - Records. Genuine issues of material fact existed as to whether EOUSA fulfilled its obligations under FOIA.	Mar. 02, 2013	Case		9 F.3d
Cited by	 80. Higgins v. U.S. Dept. of Justice 919 F.Supp.2d 131, 147 , D.D.C. GOVERNMENT - Records. Agency's summary judgment affidavit was insufficient to support finding that responsive search was reasonable under FOIA.	Jan. 30, 2013	Case		11 F.3d
Cited by	81. Seme v. F.B.I. 892 F.Supp.2d 77, 83 , D.D.C. GOVERNMENT - Records. FBI's Glomar response in FOIA case refusing to confirm or deny the existence of records concerning informant was appropriate.	Sep. 20, 2012	Case		9 F.3d
Cited by	 82. McRae v. U.S. Dept. of Justice 869 F.Supp.2d 151, 166 , D.D.C. GOVERNMENT - Records. ATF failed to establish confidential source exemption under Freedom of Information Act.	June 27, 2012	Case		9 F.3d
Cited by	 83. DeBrew v. Atwood  847 F.Supp.2d 95, 103 , D.D.C. CIVIL RIGHTS - Prisons. Inmate failed to adequately exhaust his administrative remedies before filing Bivens action.	Mar. 19, 2012	Case		1 7 14 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	84. James v. U.S. Secret Service ¶ 811 F.Supp.2d 351, 358 , D.D.C. GOVERNMENT - Records. Secret Service complied with its FOIA obligations, even though it had previously destroyed recordings in requester's criminal case.	Sep. 20, 2011	Case		1 14 15 F.3d
Cited by	85. Boyd v. Executive Office for U.S. Attorneys ¶ 741 F.Supp.2d 150, 155 , D.D.C. GOVERNMENT - Records. Executive Office for United States Attorneys was entitled to summary judgment in FOIA suit.	Sep. 28, 2010	Case		14 F.3d
Cited by	86. Sellers v. U.S. Dept. of Justice 684 F.Supp.2d 149, 160 , D.D.C. GOVERNMENT - Records. DOJ properly withheld names and other identifying information of FBI agents who testified at requester's trial.	Feb. 17, 2010	Case		9 F.3d
Cited by	87. North v. U.S. Dept. of Justice ¶ 658 F.Supp.2d 163, 173 , D.D.C. GOVERNMENT - Records. Balance of privacy interests weighed against disclosure to prisoner of agency records pertaining to criminal trial witness.	Sep. 30, 2009	Case		11 13 F.3d
Cited by	88. Lewis-Bey v. U.S. Dept. of Justice 595 F.Supp.2d 120, 135 , D.D.C. GOVERNMENT - Records. Information was properly withheld under Freedom of Information Act (FOIA) exemption for internal agency records.	Feb. 05, 2009	Case		9 F.3d
Cited by	89. Robinson v. Attorney General of U.S. 534 F.Supp.2d 72, 83 , D.D.C. GOVERNMENT - Records. Offer of conclusory statements of risk of harm was not sufficient to establish proper withholding.	Feb. 14, 2008	Case		9 F.3d
Cited by	90. Callaway v. U.S. Dept. of Treasury 2007 WL 7698581, *12 , D.D.C. Plaintiff brings this action under the Freedom of Information Act ("FOIA"), see 5 U.S.C. § 552, in an effort to obtain information requested of the Executive Office for United...	Aug. 31, 2007	Case		9 F.3d
Cited by	91. Summers v. U.S. Dept. of Justice 517 F.Supp.2d 231, 244 , D.D.C. GOVERNMENT - Records. Determination whether individuals named in documents responsive to FOIA request were still alive, was adequate.	May 24, 2007	Case		11 F.3d
Cited by	92. Elliott v. F.B.I. 2007 WL 1302595, *6 , D.D.C. This matter is before the Court on defendant's motion for summary judgment. The Court has reviewed the motion, plaintiff's opposition, and the record of this case, and will grant...	May 02, 2007	Case		9 F.3d


Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 93. Anderson v. U.S. Dept. of Justice ¶ 518 F.Supp.2d 1, 10, D.D.C. GOVERNMENT - Records. DEA was not required under FOIA to provide information on task force that targeted illicit drug trafficking on Gulf Coast.	Mar. 26, 2007	Case		14 F.3d
Cited by	94. Valdez v. U.S. Dept. of Justice 474 F.Supp.2d 128, 133, D.D.C. GOVERNMENT - Records. Requester was not entitled to records pertaining to confidential informant.	Feb. 16, 2007	Case		9 F.3d
Cited by	95. Melville v. U.S. Dept. of Justice 2006 WL 2927575, *9, D.D.C. This matter is before the Court on defendants' motion to dismiss or for summary judgment. Having considered defendants' motion, plaintiff's opposition, and the entire record, the...	Oct. 12, 2006	Case		9 F.3d
Cited by	96. Meserve v. U.S. Dept. of Justice 2006 WL 2366427, *7, D.D.C. This matter is before the Court on defendants' motion for summary judgment. Having considered defendants' motion, plaintiff's opposition, and the record in this case, the Court...	Aug. 14, 2006	Case		9 F.3d
Cited by	97. Farrugia v. Executive Office for U.S. Attorneys ¶ 2006 WL 335771, *7, D.D.C. Plaintiff Thomas Farrugia, an inmate in the federal prison system who is proceeding pro se, brought this action pursuant to the Freedom of Information Act, 5 U.S.C. §§ 552, et...	Feb. 14, 2006	Case		11 F.3d
Cited by	 98. Newry Ltd. v. U.S. Customs and Border Protection Bureau 2005 WL 3273975, *6, D.D.C. Plaintiff, Newry Limited ("Newry"), brings this action against the U.S. Customs and Border Protection Bureau ("CBP") under the Freedom of Information Act ("FOIA"), 5 U.S.C. §...	July 29, 2005	Case		—
Cited by	 99. Carbe v. Bureau of Alcohol, Tobacco and Firearms ¶ 2004 WL 2051359, *11, D.D.C. Milton E. Carbe is a federal prisoner currently incarcerated at the United States Penitentiary at Beaumont, Texas. He has brought suit under the Freedom of Information Act...	Aug. 12, 2004	Case		11 13 F.3d
Cited by	100. Edmonds v. F.B.I. ¶ 272 F.Supp.2d 35, 44, D.D.C. GOVERNMENT - Records. National security exemption protected documents concerning whistleblowing that followed September 11 attacks.	July 23, 2003	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	101. Summers v. United States Department of Justice 2003 WL 27383247, *3+ , D.D.C. Plaintiff Anthony Summers filed this lawsuit against the Department of Justice ("DOJ") under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 (2000). After disclosing...	Mar. 10, 2003	Case		3 F.3d
Cited by	102. Ferranti v. Bureau of Alcohol, Tobacco and Firearms 177 F.Supp.2d 41, 45 , D.D.C. GOVERNMENT - Records. BATF's search for documents, pursuant to FOIA request, was reasonable and in good faith.	Dec. 10, 2001	Case		—
Cited by	103. Judicial Watch, Inc. v. Export-Import Bank 108 F.Supp.2d 19, 34+ , D.D.C. GOVERNMENT - Records. Agency's use of categorical indexing technique met requirements for Vaughn index.	Aug. 09, 2000	Case		10 F.3d
Cited by	104. Larouche v. Department of the Treasury 2000 WL 805214, *9 , D.D.C. This matter comes before the Court on Plaintiff Lyndon LaRouche's ("LaRouche") motions to reconsider Judge Greene's August 26, 1998 opinion and vacate the accompanying order,...	Mar. 31, 2000	Case		—
Cited by	105. Peralta v. U.S. Attorney's Office 🗨️ 69 F.Supp.2d 21, 31 , D.D.C. Prison inmate brought action against United States Attorney's Office (USAO) under Freedom of Information Act (FOIA), seeking records relating to his criminal conviction. Executive...	Mar. 22, 1999	Case		3 F.3d
Cited by	106. Martinson v. Violent Drug Traffickers Project 1996 WL 571791, *5 , D.D.C. Before the Court in the above-captioned case are the defendant Internal Revenue Service's Motion for Summary Judgment, the defendant Drug Enforcement Agency's Motion for Summary...	Aug. 07, 1996	Case		14 F.3d
Cited by	107. Broward Bulldog, Inc. v. U.S. Department of Justice 🗨️ 2019 WL 13178390, *14 , S.D.Fla. THIS MATTER is before the Court upon Defendants' Renewed Motion For Summary Judgment (DE 96). The Court has carefully reviewed said Motion, the entire court file and is otherwise...	Aug. 22, 2019	Case		4 F.3d
Cited by	108. Sartori v. United States Army 2019 WL 659016, *4 , N.D.Fla. This cause is before the Court on Plaintiff Jason Sartori's Motion to Compel Production of Vaughn Index and Certain Other Papers (Doc. 34) filed on September 1, 2018. The motion to...	Jan. 10, 2019	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	109. Broward Bulldog, Inc. v. U.S. Dept. of Justice ¶¶ 2014 WL 2999205, *2, S.D.Fla. THIS MATTER is before the Court upon Plaintiffs' Motion For Order Compelling Additional Search (DE 46) and the Court's prior Order (DE 58). The Court has carefully reviewed said...	Apr. 04, 2014	Case		1 F.3d
Cited by	110. Watkins Motor Lines, Inc. v. U.S. Equal Employment Opportunity Commission 2005 WL 8160384, *4, M.D.Fla. THIS MATTER is before the court on Plaintiff's Motion for Expedited Production of Vaughn Index (Doc. 14) and Defendant Equal Employment Opportunity Commission's response in...	Nov. 29, 2005	Case		4 F.3d
Cited by	111. Davidson v. Federal Bureau of Prisons 2017 WL 1217168, *11+, E.D.Ky. This matter is before the Court upon the motion of the Bureau of Prisons ("BOP") to dismiss the complaint, or in the alternative, for summary judgment. [R. 20] Plaintiffs Clifton...	Mar. 31, 2017	Case		14 F.3d
Cited by	112. Brown v. E.E.O.C. 2010 WL 1929913, *2+, W.D.Ky. GOVERNMENT - Records. Certain portions of intra-agency documents were subject to the deliberative-process privilege and, thus, were exempt from disclosure under the Freedom of...	May 12, 2010	Case		3 4 F.3d
Cited by	113. Gahagan v. U.S. Dept. of Justice 2015 WL 3892866, *2, E.D.La. Presently before the Court are two motions for summary judgment (Rec. Docs. 32 and 33) filed by Plaintiff Michael Gahagan. With his motions, Plaintiff seeks relief regarding...	June 24, 2015	Case		—
Cited by	114. Abdul-Alim v. Wray 277 F.Supp.3d 199, 218, D.Mass. GOVERNMENT — Records. Since responsive records contained identities of confidential sources who aided investigation of FOIA requester, they were exempt from disclosure.	Sep. 29, 2017	Case		8 F.3d
Cited by	115. Nicholas v. National Sec. Agency 2006 WL 4071922, *2, D.Md. Plaintiff is a prisoner at the "CMC West" correctional facility in San Luis Obispo, California. He filed this Complaint pursuant to the Freedom of Information Act ("FOIA"), 5...	May 11, 2006	Case		—
Cited by	116. Kim v. I.R.S. 1999 WL 1424998, *4, D.Md. Disclosures: Freedom of Information Act: IRS records: Diligent search.—The government was entitled to summary judgment against a taxpayer who brought a pro se suit under the...	Dec. 28, 1999	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	117. Al -Dolemy v. FBI Detroit Field Office ” 2022 WL 17408664, *5+ , E.D.Mich. Moe M. Al-Dolemy, an incarcerated person, brings this pro se complaint against the Federal Bureau of Investigation Detroit Field Office (“FBI”) alleging it failed to fulfill his...	Sep. 29, 2022	Case		10 15 F.3d
Cited by	118. Odor v. United States Citizenship and Immigration Services ” 2021 WL 2351091, *4+ , E.D.Mich. Plaintiffs sued the United States Citizenship and Immigration Services (“USCIS”) under the Freedom of Information Act (“FOIA”). 5 U.S.C. § 552. ECF 1. Specifically, Plaintiff Odor...	June 09, 2021	Case		2 F.3d
Cited by	119. Mertz v. Social Security Administration 2017 WL 9325288, *6+ , E.D.Mich. For the reasons set forth below, IT IS RECOMMENDED that the Court GRANT IN PART Defendant’s Motion for Summary Judgment, (Doc. 13), because Defendant the Social Security...	Dec. 21, 2017	Case		8 9 F.3d
Cited by	120. Detroit Free Press, Inc. v. U.S. Dept. of Justice ” 16 F.Supp.3d 798, 803 , E.D.Mich. GOVERNMENT - Records. Booking photographs were not exempt from disclosure under Freedom of Information Act.	Apr. 21, 2014	Case		8 9 F.3d
Cited by	121. American Civil Liberties Union of Michigan v. F.B.I. ” 2012 WL 4513626, *5+ , E.D.Mich. This matter is before the Court on the parties' cross Motions for Summary Judgment [dkt 19, 25]. The parties have fully briefed the motions. The Court finds that the facts and...	Sep. 30, 2012	Case		6 8 9 F.3d
Cited by	122. Ford Motor Co. v. U.S. Customs and Border Protection 2011 WL 4026865, *3+ , E.D.Mich. Before the Court are briefs by Plaintiff Ford Motor Company [Dock. # 70, 96] and Defendant United States Customs and Border Protection (“Customs”) [Dock. # 88, 97] and various...	Sep. 12, 2011	Case		4 F.3d
Cited by	123. Ford Motor Co. v. U.S. Customs and Border Protection 2008 WL 4899402, *21+ , E.D.Mich. This is an action brought by Plaintiff, Ford Motor Company (“Ford”), under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, against the U.S. Customs and Border...	Aug. 01, 2008	Case		11 F.3d
Cited by	124. Gregory v. U.S. Dept. of Justice (Treasury Div.) 2005 WL 1028236, *2+ , E.D.Mich. In a letter dated May 27, 2004, plaintiff wrote to the United States Department of Justice in Washington, D.C., regarding disclosure of treasure direct account information. Compl...	Apr. 21, 2005	Case		5 7 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	125. Comer v. I.R.S. 1999 WL 1022210, *2 , E.D.Mich. This case concerns a long-running and extensive Freedom of Information Act ("FOIA") request brought by plaintiff pursuant to 5 U.S.C. § 552. Currently before the court are...	Sep. 30, 1999	Case		—
Cited by	126. Klunzinger v. I.R.S. ¶¶ 27 F.Supp.2d 1015, 1024 , W.D.Mich. Freedom of Information Act (FOIA) action was filed against Internal Revenue Service (IRS). Parties filed cross-motions for summary judgment. The District Court, Miles, Senior...	Mar. 03, 1998	Case		2 F.3d
Cited by	127. Foster v. U.S. Dept. of Justice 933 F.Supp. 687, 692 , E.D.Mich. Plaintiff brought action to compel production of documents relating to investigation of plaintiff by Internal Revenue Service (IRS) under Freedom of Information Act (FOIA). The...	July 19, 1996	Case		9 F.3d
Cited by	128. Kortlander v. Bureau of Land Management 816 F.Supp.2d 1001, 1014 , D.Mont. GOVERNMENT - Records. Documents related to criminal investigation fell under FOIA exemption for information subject to civil evidentiary privilege.	Sep. 13, 2011	Case		11 13 F.3d
Cited by	129. Nevada v. U.S. Dept. of Energy 517 F.Supp.2d 1245, 1254+ , D.Nev. GOVERNMENT - Records. Draft license applications for proposed nuclear waste repository were covered by deliberative process privilege.	Sep. 27, 2007	Case		3 4 F.3d
Cited by	130. Maricopa Audubon Soc. v. U.S. Forest Service 923 F.Supp. 1436, 1440 , D.N.M. Freedom of Information Act (FOIA) requesters brought action challenging refusal of United States Forest Service (USFS) to disclose management territory maps used to protect Mexican...	Aug. 16, 1995	Case		9 F.3d
Cited by	131. Henareh v. United States ¶¶ 2018 WL 7133258, *4+ , S.D.N.Y. TO THE HONORABLE JED S. RAKOFF, UNITED STATES DISTRICT JUDGE: Plaintiff Siavosh Henareh ("Henareh" or "Plaintiff") brings this action pursuant to the Freedom of Information Act...	Dec. 05, 2018	Case		8 9 F.3d
Cited by	132. Pray v. F.B.I 1998 WL 440843, *2 , S.D.N.Y. Plaintiff Wayne Pray brought this action seeking disclosure of FBI files pursuant to the Freedom of Information Act, 5 U.S.C. § 552 et seq. ("FOIA"). Pursuant to an order of this...	Aug. 03, 1998	Case		—
Cited by	133. DeWitt v. Commissioner of Internal Revenue Service 2020 WL 419432, *3 , S.D.Ohio Plaintiff Keith W. DeWitt, Sr. is an inmate at the Edgefield Federal Correctional Institution in Edgefield, South Carolina. He brings this case seeking copies of certain tax...	Jan. 27, 2020	Case		4 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	134. Carter v. United States  2018 WL 1610511, *4, S.D.Ohio Proceeding pro se, plaintiff brings this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. This matter is before the Court on defendants' motion for summary...	Apr. 03, 2018	Case		4 14 F.3d
Cited by	135. Rodriguez v. Department of Justice  2015 WL 3947305, *6, S.D.Ohio This matter is before the Court upon the cross-motions for summary judgment by Plaintiff, Jose Rodriguez ("Plaintiff"), and Defendant, the Department of Justice, Drug Enforcement...	June 29, 2015	Case		8 11 13 F.3d
Cited by	136. Kohake v. Department of Treasury  2014 WL 6751467, *3+, S.D.Ohio This matter came on for consideration of Defendant's Motion for Summary Judgment (Doc. 12); Plaintiff's Memorandum in Opposition to Defendant's Motion for Summary Judgment...	Dec. 01, 2014	Case		11 14 F.3d
Cited by	137. Weikamp v. United States Department of the Navy 2014 WL 12748775, *4, N.D.Ohio Currently pending before the court are Defendant United States Department of the Navy's ("Navy" or "Defendant") Motion for Summary Judgment ("Motion") (ECF No. 9) and Plaintiff...	Sep. 24, 2014	Case		3 F.3d
Cited by	138. Stewart v. U.S. Dept. of Veterans Affairs  2013 WL 4758034, *5, N.D.Ohio Pro se Plaintiff Kenneth A. Stewart filed this action against the United States Department of Veterans Affairs ("VA") under Bivens, 18 U.S.C. §§ 241, 242, 1001, 1341 and 1346, the...	Sep. 04, 2013	Case		4 F.3d
Cited by	139. Iskander v. F.B.I.  2013 WL 1572439, *4, N.D.Ohio Pro se Plaintiff Hany M. Iskander filed this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, against the Federal Bureau of Investigation ("FBI"), the...	Apr. 12, 2013	Case		4 F.3d
Cited by	 140. Shearson v. U.S. Dept. of Homeland Sec. 2007 WL 764026, *5+, N.D.Ohio This matter is before the Court upon Defendants' Motion for Summary Judgment (Doc. 18). In this matter, plaintiff seeks documents held by governmental agencies concerning a border...	Mar. 09, 2007	Case		—
Cited by	 141. Dayton Newspapers, Inc. v. Department of Veteran Affairs 257 F.Supp.2d 988, 998, S.D.Ohio GOVERNMENT - Records. Possibility that attorney's name would provide link to tort claimant did not justify withholding name.	Jan. 23, 2003	Case		3 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	142. Unger v. District Disclosure Office 2000 WL 1009493, *3+, N.D.Ohio Armin Unger (Unger) originally filed a complaint against the district disclosure office of the Internal Revenue Service (IRS) pursuant to the Freedom of Information Act (FOIA), 5...	Mar. 28, 2000	Case		9 F.3d
Cited by	143. O'Brien v. Department of Justice 2022 WL 2651850, *6, E.D.Pa. Plaintiff William J. O'Brien III and his employee, Angela Rongione, were once co-defendants in a criminal suit. Rongione testified against O'Brien at trial and in June 2016, he was...	July 08, 2022	Case		8 F.3d
Cited by	144. Leveto v. I.R.S. 2001 WL 513388, *1, W.D.Pa.	Apr. 10, 2001	Case		—
Cited by	145. Prudential Ins. Co. of America v. Menard ¶ 2007 WL 3174053, *3, D.R.I. Before the Court are two motions: 1. Motion to Compel Discovery (Document ("Doc.") # 59) filed by Plaintiff The Prudential Insurance Company of America ("Prudential" or...	Oct. 29, 2007	Case		9 F.3d
Cited by	146. Evans v. Legislative Affairs Div., ATF 2013 WL 708941, *3, D.S.C. This matter is now before the court for review of the Magistrate Judge's Report and Recommendation ("Report") [Dkt. No. 29] regarding two motions: 1) a Motion to Compel [Dkt. No....	Feb. 26, 2013	Case		9 F.3d
Cited by	147. Evans v. Legislative Affairs Div., ATF 2013 WL 708945, *6, D.S.C. The Plaintiff, proceeding pro se, brought this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. This matter is before the Court upon two motions: (a)...	Jan. 25, 2013	Case		—
Cited by	148. Russell v. United States ¶ 2018 WL 1475603, *6+, E.D.Tenn. Plaintiff Corey Fernando Russell filed this pro se complaint against Defendants United States of America and United States Marshals Service ("Marshals Service"), alleging two...	Mar. 26, 2018	Case		8 9 F.3d
Cited by	149. Harper v. Equal Employment Opportunity Commission 2016 WL 11478169, *3, W.D.Tenn. Before the Court, by way of Administrative Order 2013-05, is the Motion to Dismiss, or in the alternative, for Summary Judgment filed on February 5, 2016 by Defendant Equal...	May 31, 2016	Case		4 F.3d
Cited by	150. Knittel v. I.R.S. ¶ 795 F.Supp.2d 713, 719, W.D.Tenn. GOVERNMENT - Records. Employee's declaration was adequate to sustain agency's burden of establishing that it conducted a reasonable FOIA search.	Aug. 27, 2010	Case		3 4 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	151. Anderson v. Dept. of Treasury 1999 WL 282784, *4, W.D.Tenn. Plaintiff, Patricia Anderson, filed this action pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, seeking to enjoin the Internal Revenue Service from withholding...	Mar. 24, 1999	Case		13 F.3d
Cited by	152. Targeted Justice, Inc. v. Garland 2023 WL 4471553, *9, S.D.Tex. The plaintiffs allege that a massive government surveillance and security program has inflicted grave physical and psychological injury on them. Targeted Justice, Inc., describes...	July 11, 2023	Case		—
Cited by	153. Inclusive Communities Project, Inc. v. United States Department of Housing and Urban Development 2017 WL 386649, *3, N.D.Tex. Before the Court is Plaintiff The Inclusive Communities Project, Inc.'s (ICP) Motion for Attorneys' Fees. Doc. 57. For the reasons set forth below, the Court GRANTS the Motion in...	Jan. 26, 2017	Case		2 3 F.3d
Cited by	154. CNA Holdings, Inc. v. U.S. Dept. of Justice 2008 WL 2002050, *4, N.D.Tex. This matter arises from a Freedom of Information Act ("FOIA") request by Plaintiffs CNA Holdings, Inc. and Celanese Corporation (collectively, "CNA") to Defendant United States...	May 09, 2008	Case		—
Cited by	155. Schiller v. I.N.S. 205 F.Supp.2d 648, 663, W.D.Tex. GOVERNMENT - Records. INS could withhold names of aliens selected for deportation under FOIA exemption.	Mar. 25, 2002	Case		9 F.3d
Cited by	156. Trentadue v. Federal Bureau of Investigation 2006 WL 8457286, *5, D.Utah This matter is before the court on (1) the FBI's Motion to Amend Order on Motion for Partial Summary Judgment or, Alternatively, for Relief from Order; (2) Plaintiff's Motion to...	Mar. 30, 2006	Case		8 11 13 F.3d
Cited by	157. Keeper of the Mountains Foundation v. U.S. Dept. of Justice 514 F.Supp.2d 837, 847, S.D.W.Va. GOVERNMENT - Records. Justice Department improperly withheld record relating to purported plan to blame environmentalists for New Orleans floods.	Aug. 28, 2007	Case		—
Cited by	158. Wyoming v. United States Department of the Interior 2005 WL 8156819, *3, D.Wyo. The above-entitled matter comes before the Court on plaintiff State of Wyoming's Motion for In Camera Review. The Court, having reviewed the motions and the materials filed in...	Mar. 28, 2005	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	159. Glass v. Anne Arundel County 2018 WL 3472049, *13, Md.App. This appeal follows a series of cases filed by Appellant Gary Glass against Anne Arundel County and several of its employees pursuant to the Maryland Public Information Act...	July 18, 2018	Case		2 F.3d
Cited by	160. 38 Endicott Street North, LLC v. State Fire Marshal, New Hampshire Div. of Fire Safety 44 A.3d 571, 576, N.H. GOVERNMENT - Records. Fire Marshal met burden of demonstrating that disclosure of records could interfere with enforcement proceedings.	May 22, 2012	Case		8 9 F.3d
Not Followed on State Law Grounds NEGATIVE	161. Flowers v. Office of the Governor 167 A.3d 530, 548, Del.Super. GOVERNMENT — Records. Legislative e-mail exemption to FOIA applied solely on identity of sender or recipient without content or context limitation.	Aug. 08, 2017	Case		—
Distinguished by NEGATIVE	162. Public.Resource.org v. United States Internal Revenue Service 78 F.Supp.3d 1262, 1266, N.D.Cal. GOVERNMENT — Records. IRS tax return data records were readily reproducible, under FOIA, in format requested by non-profit organization.	Jan. 29, 2015	Case		5 F.3d
Mentioned by	163. Broward Bulldog, Inc. v. U.S. Department of Justice 939 F.3d 1164, 1182, 11th Cir.(Fla.) GOVERNMENT — Records. Names, addresses, and phone numbers of persons who allegedly had ties to 9/11 terrorists fell within scope of FOIA exemption for private information.	Sep. 23, 2019	Case		6 F.3d
Mentioned by	164. Finney v. Social Sec. Admin. 2014 WL 1025561, *5, E.D.Cal. Plaintiff is a state prisoner proceeding without counsel in this action brought under the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 522, et seq. Defendant, the Social...	Mar. 14, 2014	Case		15 F.3d
Mentioned by	165. Accuracy in Media, Inc. v. Department of Defense 2020 WL 9439354, *13, D.D.C. This case arises from a number of requests made pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, for information related to the 2012 attack on the United States...	Aug. 27, 2020	Case		4 F.3d
Mentioned by	166. Defenders of Wildlife v. U.S. Dept. of Agriculture 311 F.Supp.2d 44, 56, D.D.C. GOVERNMENT - Records. Agencies' Vaughn indices were inadequate to justify withholding records under deliberative-process privilege.	Mar. 30, 2004	Case		9 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	167. Campaign For Responsible Transplantation v. U.S. Food & Drug Admin. 219 F.Supp.2d 106, 112+ , D.D.C. GOVERNMENT - Records. Sample Vaughn indices prepared by FDA were inadequate.	Sep. 03, 2002	Case		3 9 F.3d
Mentioned by	168. Knight v. Food and Drug Admin. 938 F.Supp. 710, 715 , D.Kan. Individual who had been convicted of crimes arising from soft drink extortion and tampering hoax made request under Freedom of Information Act (FOIA) seeking disclosure by Food and...	Aug. 01, 1996	Case		1 4 F.3d
Mentioned by	169. Gahagan v. United States Citizenship and Immigration Services 2016 WL 7229291, *4 , E.D.La. Before the Court is the plaintiff's motion for summary judgment. For the reasons that follow, the motion is GRANTED in part and the remaining issue is taken under submission...	Dec. 14, 2016	Case		—
Mentioned by	170. Gahagan v. United States Citizenship and Immigration Services 147 F.Supp.3d 613, 627 , E.D.La. GOVERNMENT — Records. Agency's referral of responsive documents in its possession to originating agency for processing is not per se unlawful under FOIA.	Dec. 02, 2015	Case		2 3 F.3d
Mentioned by	171. Gahagan v. U.S. Citizenship and Immigration Services 2015 WL 6738549, *3 , E.D.La. Before the Court are two Motions for Summary Judgment. The first was filed by the Defendant, United States Citizenship and Immigration Services ("USCIS"), on July 23, 2015 seeking...	Nov. 04, 2015	Case		2 3 F.3d
Mentioned by	 172. Gahagan v. U.S. Citizenship and Immigration Services 2015 WL 5321749, *6 , E.D.La. Before the Court are a Second Motion for Summary Judgment (Rec.Doc. 34) and Third Motion for Summary Judgment (Rec.Doc. 35) filed by Plaintiff Michael Gahagan ("Gahagan") and an...	Sep. 11, 2015	Case		2 3 F.3d
Mentioned by	173. Gahagan v. United States Citizenship and Immigration Services 2015 WL 13048737, *5 , E.D.La. Before the Court is Plaintiff's Motion to Reconsider Judicial Order. (Rec. Doc. No. 11). Also before the Court is Defendant's Fed. R. Civ. P. 56 Motion for Summary Judgment. (Rec....	Aug. 17, 2015	Case		—
Mentioned by	174. Gahagan v. U.S. Customs and Border Protection 2015 WL 3772888, *1 , E.D.La. Before the Court are Plaintiff Michael W. Gahagan's objections to the April 27, 2015 Report and Recommendation of the United States Magistrate Judge. Gahagan, an immigration...	June 17, 2015	Case		2 3 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 175. Gahagan V. U.S. Customs and Border Protection 2015 WL 3772791, *4 , E.D.La. This is a Freedom of Information Act ("FOIA") action. 5 U.S.C. § 552 et seq. Plaintiff Michael W. Gahagan, proceeding pro se, is an attorney who practices immigration law. This...	Apr. 27, 2015	Case		3 F.3d
Mentioned by	 176. Gahagan v. U.S. Citizenship and Migration Services 2015 WL 350356, *22 , E.D.La. In this action arising under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), Plaintiff Michael Gahagan ("Gahagan") seeks relief in connection with his request for agency...	Jan. 23, 2015	Case		2 3 F.3d
Mentioned by	 177. Lucaj v. United States Federal Bureau of Investigation 2016 WL 319525, *3 , E.D.Mich. On July 3, 2014, Plaintiff filed this Freedom of Information Act ("FOIA") lawsuit alleging that Defendants have failed to comply with their disclosure requirements. (Dkt. 1)....	Jan. 27, 2016	Case		—
Mentioned by	 178. Hertz Schram PC v. Federal Bureau of Investigation 2015 WL 13743459, *2 , E.D.Mich. Before the Court is Plaintiff's Hertz Schram PC's ("Plaintiff's") motion for attorney fees [Doc. #47], which has been referred for a Report and Recommendation under 28 U.S.C....	Aug. 19, 2015	Case		—
Mentioned by	179. Baser v. Department of Veterans Affairs 2014 WL 4897290, *3 , E.D.Mich. On June 13, 2013, Plaintiff Onur Baser filed the instant suit against Defendants Department of Veterans Affairs ("VA"), Secretary of Veterans Affairs ("Secretary") and Director...	Sep. 30, 2014	Case		—
Mentioned by	180. Robinson v. I.R.S. 1995 WL 871174, *3 , E.D.Mich. This matter is before the court on defendant's motion for summary judgment. The motion was referenced to United States Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. §...	July 05, 1995	Case		—
Mentioned by	181. Harper v. Department of the Army Huntington District 2015 WL 5118100, *2 , S.D.Ohio This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, in which plaintiff, acting as the representative of a group of concerned citizens, seeks...	Sep. 01, 2015	Case		3 F.3d
Mentioned by	182. Springer v. U.S. Attorney for the Northern Dist. of Oklahoma 2015 WL 6627821, *8 , N.D.Okla. This is a civil action brought under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Administrative Procedures Act (APA), 5 U.S.C. § 551, et seq. Plaintiff, Lindsey...	Oct. 30, 2015	Case		1 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	183. Watters v. Department of Justice 2013 WL 4482968, *6 , N.D.Okla. On April 28, 2010, Plaintiff, a federal prisoner appearing pro se, filed a civil complaint (Dkt.# 1), pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. By...	Aug. 20, 2013	Case		1 F.3d
Mentioned by	184. Williams v. U.S. Attorney's Office 2006 WL 717474, *3 , N.D.Okla. Plaintiff, a federal inmate appearing pro se, filed this civil action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. He paid the filing fee in full. On...	Mar. 16, 2006	Case		1 F.3d
Mentioned by	185. Southern Environmental Law Center v. Tennessee Valley Authority 2023 WL 2387360, *5 , E.D.Tenn. GOVERNMENT — Records. Reasonably foreseeable risk of harm to natural gas companies justified Tennessee Valley Authority's (TVA) decision to redact precedent agreements.	Mar. 07, 2023	Case		3 4 F.3d
Mentioned by	186. Equal Employment Opportunity Commission v. Whiting-Turner Contracting Company 2022 WL 3221825, *3 , M.D.Tenn. This memorandum order addresses Plaintiff Equal Employment Opportunity Commission's (EEOC) motion for an order requiring Defendant The Whiting-Turner Contracting Company...	Aug. 09, 2022	Case		15 F.3d
Mentioned by	187. Robbins, Geller, Rudman & Dowd, LLP v. United States Securities and Exchange Commission 2016 WL 950995, *3 , M.D.Tenn. Pending before the Court is Defendant's Motion for Summary Judgment on Freedom of Information Act (FOIA) Exemption 7(A). For the reasons set forth herein, the Court will GRANT...	Mar. 12, 2016	Case		8 9 F.3d
Mentioned by	188. Robbins Geller Rudman & Dowd LLP v. United States Securities and Exchange Commission ¶¶ 2015 WL 13677784, *4 , M.D.Tenn. This Order addresses the Plaintiff's Motion for Limited Discovery Under Federal Rule of Civil Procedure 56(d). (Docket Entry 37). For the reasons explained below, the Plaintiff's...	Oct. 28, 2015	Case		8 9 F.3d
Mentioned by	189. Texas Clinical Labs, Inc. v. Shalala 1999 WL 1243200, *9 , N.D.Tex. Before the court are Defendant's Motion for Summary Judgment, and Plaintiffs' Motion for Summary Judgment, both filed October 23, 1997. Upon careful consideration of the motions,...	Dec. 21, 1999	Case		3 4 F.3d
Mentioned by	190. Cargulia v. Cargulia 707 A.2d 1100, 1103 , N.J.Super.Ch. GOVERNMENT - Records. State court was not empowered to compel IRS to produce materials in its possession.	Apr. 12, 1996	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	191. Bhatia Gautier v. Gobernador 199 D.P.R. 59, 165 , P.R. Certiorari to review a Resolution issued by Erik J. Ramirez Nazario, Luisa M. Colom Garcia, and Giselle Romero Garcia, JJ. of the Court of Appeals denying the issuance of a writ of...	Sep. 15, 2017	Case		1 F.3d
—	192. PROTECTING CONFIDENTIAL LEGAL INFORMATION In 2007, we have again updated our reference, Protecting Confidential Legal Information: A Handbook for Analyzing Issues Under the Attorney-Client Privilege and the Work Product...	2007	Other Secondary Source	—	2 3 F.3d
—	193. PROTECTING CONFIDENTIAL LEGAL INFORMATION: A HANDBOOK FOR ANALYZING ISSUES UNDER THE ATTORNEY-CLIENT PRIVILEGE AND THE WORK PRODUCT DOCTRINE In 2007, we have again updated our reference, Protecting Confidential Legal Information: A Handbook for Analyzing Issues Under the Attorney-Client Privilege and the Work Product...	2007	Other Secondary Source	—	2 3 F.3d
—	194. Construction and Application of Exemption 7(E) of Freedom of Information Act ("FOIA"), 5 U.S.C.A. s552(b)(7)(E), for Records or Information Compiled for Law Enforcement Purposes to Extent that Production of Such Law Enforcement Records or Information Would Disclose Techniques and Procedures For Law Enforcement Investigations or Prosecutions, 70 A.L.R. Fed. 2d 493 Pursuant to an Exemption 7(E) of the Freedom of Information Act (FOIA), 5 U.S.C.A. § 552(b)(7) (E), government agencies need not disclose law-enforcement records or information...	2012	ALR	—	15 F.3d
—	195. What constitutes "unwarranted invasion of personal privacy" for purposes of law enforcement investigatory records exemption of Freedom of Information Act (5 U.S.C.A. sec. 552(b)(7)(C)) 52 A.L.R. Fed. 181 This annotation collects and analyzes the federal cases in which the courts have discussed the meaning of the phrase "unwarranted invasion of personal privacy" within 5 U.S.C.A. §...	1981	ALR	—	9 F.3d
—	196. What Matters Are Exempt from Disclosure Under Freedom of Information Act (5 U.S.C.A. s552(b)(1)) as "Specifically Authorized Under Criteria Established by an Executive Order to be Kept Secret in the Interest of National Defense or Foreign Policy" 169 A.L.R. Fed. 495 In 1966, Congress enacted the Freedom of Information Act (5 U.S.C.A. §§ 552 et seq.) to secure for individuals the opportunity to request and receive information from the...	2001	ALR	—	6 9 F.3d

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>197. What Constitutes "Confidential Source" Within Freedom of Information Act Exemption Permitting Nondisclosure of Confidential Source and, in Some Instances, of Information Furnished by Confidential Source (5 U.S.C.A. s552(b)(7)(D)) 171 A.L.R. Fed. 193</p> <p>As provided in 5 U.S.C.A. § 552(b)(7)(D), the Freedom of Information Act exempts from disclosure certain law enforcement records, including those that could reasonably be expected...</p>	2001	ALR	—	<p>6 9 11 12 13</p> <p>F.3d</p>
—	<p>198. Use of Affidavits To Substantiate Federal Agency's Claim of Exemption from Request for Documents Under Freedom of Information Act (5 U.S.C.A. s 552) 187 A.L.R. Fed. 1</p> <p>Government agencies have consistently been permitted to submit affidavits to demonstrate that they have properly withheld records or portions thereof pursuant to one of the...</p>	2003	ALR	—	<p>3 4 6 11</p> <p>F.3d</p>
—	<p>199. What are matters "related solely to the internal personnel rules and practices of an agency" exempted from disclosure under Freedom of Information Act (5 U.S.C.A. sec. 552(b)(2)) 141 A.L.R. Fed. 531</p> <p>The Freedom of Information Act (5 U.S.C.A. § 552) (FOIA) requires federal agencies to provide their records to any person who requests them, except for those records that contain...</p>	1998	ALR	—	<p>2 3 6 11 12</p> <p>F.3d</p>
—	<p>200. Application, in federal civil action, of governmental privilege of nondisclosure of identity of informer 8 A.L.R. Fed. 6</p> <p>This annotation collects the cases dealing with the availability and applicability in federal civil proceedings of the Federal Government's evidentiary privilege against the...</p>	1971	ALR	—	<p>11</p> <p>F.3d</p>
—	<p>201. Administrative Law and Practice s 14:24, § 14:24. General access</p> <p>The heart of the Information Act is subsection (a)(3). That subsection requires very broad disclosure. Any person, without giving a reason, may request any information in an...</p>	2023	Other Secondary Source	—	—
—	<p>202. Administrative Law and Practice s 14:31, § 14:31. State secrets: Exemption 1</p> <p>State secrets are accorded an absolute privilege from traditional discovery, as discussed in § 3:16[3]. Exemption 1 protects such documents but only under certain conditions....</p>	2023	Other Secondary Source	—	—
—	<p>203. Administrative Law and Practice s 14:37, § 14:37. Law enforcement files: Exemption 7</p> <p>The Information Act exempts from disclosure "investigatory records compiled for law enforcement purposes." However Congress has been very careful to assure that a law enforcement...</p>	2023	Other Secondary Source	—	<p>13</p> <p>F.3d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	204. Administrative Law Practice and Procedure s 3:20, § 3:20. Civil actions Federal district courts have jurisdiction under the FOIA to enjoin an agency from withholding agency records and to order the production of any agency records improperly withheld...	2022	Other Secondary Source	—	—
—	205. Attorney Fee Awards 2d ed. s 20:1, § 20:1. Introduction The Freedom of Information Act (FOIA), the Privacy Act, and the Government in the Sunshine Act govern the disclosure, collection, and maintenance of information by federal...	2023	Other Secondary Source	—	2 15 F.3d
—	206. Civ. Actions Against US, Agencies, Officers & Empl. s 7:39, § 7:39. Records that could constitute invasion of privacy The law enforcement exemption applies to records that "could reasonably be expected to constitute an unwarranted invasion of personal privacy." This exemption's protection of...	2023	Other Secondary Source	—	10 F.3d
—	207. Civ. Actions Against US, Agencies, Officers & Empl. s 7:83, § 7:83. In camera review of documents—Blue of sampling When the number of documents to be reviewed by the court in camera in a Freedom of Information Act case is large, the court may use a sampling procedure for its review. A sampling...	2023	Other Secondary Source	—	2 F.3d
—	208. Criminal Practice Manual s 21:23, § 21:23. Exemptions—Exemption 7: Law enforcement records—Threshold requirement for coverage Exemption 7 applies to civil, regulatory, and criminal investigations as long as the records were compiled for law enforcement purposes. Pope v. U.S., 599 F.2d 1383, 79-2 U.S. Tax...	2023	Other Secondary Source	—	8 9 F.3d
—	209. Federal Information Disclosure s 17:8, § 17:8. Definitions—"Law enforcement" This threshold definition has been extensively debated in the courts for many years. "Law enforcement purposes" include background checks on federal job applicants. The purpose...	2023	Other Secondary Source	—	8 F.3d
—	210. Federal Information Disclosure s 17:82, § 17:82. Withholding to avoid an unwarranted invasion of privacy under section (b)(7)(C)—The balancing of interests for and against disclosure—Names of third parties in investigative files In cases involving personal data on private citizens in law enforcement records, "the privacy interest ... is at its apex." Exemption (b)(7)(C) protects privacy interests of third...	2023	Other Secondary Source	—	8 F.3d
—	211. Federal Information Disclosure s 17:96, § 17:96. Withholding to avoid an unwarranted invasion of privacy under section (b)(7)(C)—The balancing of interests for and against disclosure—Witnesses Exemption 7(C) can be invoked to withhold witness statements, information about third parties who played a role in a USPS investigation, as well as information concerning federal,...	2023	Other Secondary Source	—	—

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—	212. Federal Information Disclosure s 17:135, § 17:135. Defining “sources”—Business sources A (7)(D) informant exemption also applies to banks and commercial entities, release of which could reasonably disclose identity of the sources. Commercial, financial, and credit...	2023	Other Secondary Source	—	13 F.3d
—	213. Federal Testimonial Privileges 2d s 5:7, § 5:7. The general scope of the privilege The scope of protection afforded depends upon the public interests which may be involved. Thus, for the purpose of preserving access to confidential sources, the privilege will...	2022	Other Secondary Source	—	11 12 13 F.3d
—	214. Guidebook to the Freedom of Information and Privacy Acts s 4:6, § 4:6. FOIA requesters The FOIA generally requires federal agencies to make records "available to any person." Although the FOIA does not itself define the term "person," it incorporates the...	2023	Other Secondary Source	—	15 F.3d
—	215. Guidebook to the Freedom of Information and Privacy Acts s 6:2, § 6:2. Executive order 13,526 Executive Order 13,526 sets forth the current standards governing national security classification and the mechanisms for declassification. As with prior executive orders,...	2023	Other Secondary Source	—	13 F.3d
—	216. Guidebook to the Freedom of Information and Privacy Acts s 12:5, § 12:5. Law enforcement purpose—Standards for demonstrating law enforcement threshold met When determining whether a record was "compiled for law enforcement purposes" under Exemption 7, the Court of Appeals for the District of Columbia Circuit has generally...	2023	Other Secondary Source	—	8 9 F.3d
—	217. Guidebook to the Freedom of Information and Privacy Acts s 16:2, § 16:2. Jurisdiction The United States district courts are vested with exclusive original jurisdiction over FOIA cases by section (a)(4)(B) of the Act, which provides in pertinent part: On complaint,...	2023	Other Secondary Source	—	14 F.3d
—	218. Guidebook to the Freedom of Information and Privacy Acts s 12:22, § 12:22. Exemption 7(C)—Privacy considerations Under the balancing test that traditionally has been applied to both Exemption 6 and Exemption 7(C), the agency must first identify and evaluate the nature and extent of the...	2023	Other Secondary Source	—	9 F.3d
—	219. Guidebook to the Freedom of Information and Privacy Acts s 12:27, § 12:27. Exemption 7(D)—Introduction It has "long been recognized" that Exemption 7(D) affords "the most comprehensive protection of all [the] FOIA's law enforcement exemptions." The Court of Appeals for the...	2023	Other Secondary Source	—	11 13 F.3d

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—	220. Guidebook to the Freedom of Information and Privacy Acts s 12:28, § 12:28. Exemption 7(D)—The confidentiality analysis Sources are confidential when they have provided information either under an express promise of confidentiality or "under circumstances from which such an assurance could be...	2023	Other Secondary Source	—	11 12 13 F.3d
—	221. Guidebook to the Freedom of Information and Privacy Acts s 12:29, § 12:29. Exemption 7(D)—Express confidentiality Courts have uniformly recognized that express promises of confidentiality deserve protection under Exemption 7(D). Express confidentiality usually requires an affidavit...	2023	Other Secondary Source	—	12 13 F.3d
—	222. Guidebook to the Freedom of Information and Privacy Acts s 12:30, § 12:30. Exemption 7(D)—Implied confidentiality In addition to express confidentiality, Exemption 7(D) also affords protection to sources who provide information under circumstances in which an expectation of confidentiality can...	2023	Other Secondary Source	—	12 F.3d
—	223. Guidebook to the Freedom of Information and Privacy Acts s 12:32, § 12:32. Exemption 7(D)—Waiver of confidentiality Courts have held that any "judicial effort to create a 'waiver' exception to [E]xemption 7(D)'s language runs afoul of the statute's 'intent to provide "workable" rules.'" As...	2023	Other Secondary Source	—	11 12 13 F.3d
—	224. Guidebook to the Freedom of Information and Privacy Acts s 12:35, § 12:35. Exemption 7(E)—Techniques and procedures The first clause of Exemption 7(E) protects "techniques and procedures for law enforcement investigations or prosecutions." The phrase "techniques and procedures" refers to the...	2023	Other Secondary Source	—	—
—	225. Guidebook to the Freedom of Information and Privacy Acts s 16:18, § 16:18. Vaughn index/declaration A distinguishing feature of FOIA litigation is that the defendant agency bears the burden of sustaining its action of withholding records. The most commonly used device for meeting...	2023	Other Secondary Source	—	2 3 F.3d
—	226. Guidebook to the Freedom of Information and Privacy Acts s 16:20, § 16:20. In camera inspection The FOIA specifically authorizes in camera examination of documents, however, district courts have "broad discretion" to decide if this type of review "is necessary to determine...	2023	Other Secondary Source	—	2 4 F.3d
—	227. Guidebook to the Freedom of Information and Privacy Acts s 16:22, § 16:22. Discovery Discovery is the exception, not the rule, in FOIA cases. The decision to grant discovery and the conditions under which it is permitted are within the discretion of the district...	2023	Other Secondary Source	—	4 F.3d

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—	228. Mertens: Law of Federal Income Taxation s 58A:38, § 58A:38. Freedom of Information Act Before the Freedom of Information Act, it was difficult to obtain documents or records from the government because of the government privilege against disclosure of confidential...	2023	Other Secondary Source	—	2 F.3d
—	229. Ohio Administrative Law Handbook and Agency Directory APP A, Appendix A. Ohio Revised Code (Selected Provisions) Ohio Administrative Law Handbook and Agency Directory The Ohio Code of Judicial Conduct and Ohio Ethics Law (RC Ch 102) permit a judge to accept compensation for teaching at state or private colleges or universities on topics related...	2022	Other Secondary Source	—	9 11 15 F.3d
—	230. Ohio Township Law s 8A:9, § 8A:9. Public records requirements—Law enforcement and the judicial process Police and other law enforcement investigatory records are not subject to the compulsory disclosure provisions of R.C. 149.43. Under the Ohio Public Records Act, personnel files...	2022	Other Secondary Source	—	8 9 F.3d
—	231. Postconviction Remedies s 20:5, § 20:5. Habeas Rule 6—Good cause requirement There is no right to automatic discovery in federal habeas corpus cases. Unlike the usual civil litigant in federal court, a habeas petitioner "is not entitled to discovery as a...	2022	Other Secondary Source	—	1 F.3d
—	232. Testimonial Privileges s 9:12, § 9:12. Invoking the privilege Testimonial Privileges As a general matter, invoking the privilege requires: (1) a formal claim of privilege by the head of the department possessing control over the requested information; (2) an...	2023	Other Secondary Source	—	3 4 6 F.3d
—	233. Testimonial Privileges s 9:25, § 9:25. Informer's privilege—Freedom of Information Act Exemption 7(D) Testimonial Privileges The issue of the informer's privilege also has arisen in litigation under the Freedom of Information Act. Exemption (7)(D) of FOIA provides that agencies need not release: records...	2023	Other Secondary Source	—	9 F.3d
—	234. Testimonial Privileges s 9:32, § 9:32. Privacy privilege Testimonial Privileges Law from several sources has given rise to what may be termed a limited governmental privilege against disclosure of information that would unduly invade the privacy of an...	2023	Other Secondary Source	—	9 F.3d
—	235. West's Federal Administrative Practice s 710, § 710. Freedom of Information Act—Judicial actions Under the Freedom of Information Act, United States District Courts have jurisdiction to enjoin a federal agency from withholding agency records, and to order the production of...	2023	Other Secondary Source	—	—

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—	236. West's Federal Administrative Practice s 8407, § 8407. Exemptions—State secrets: exemption 1 State secrets are accorded an absolute privilege from traditional discovery, as discussed in § 7426. Exemption 1 protects such documents, but only under certain conditions....	2023	Other Secondary Source	—	6 F.3d
—	237. Wright & Miller: Federal Prac. & Proc. s 8466, § 8466. FOIA Exemption 1—State Secrets Wright & Miller: Federal Prac. & Proc. Exemption 1 withdraws from FOIA's disclosure obligations those matters that are "(A) specifically authorized under criteria established by an Executive order to be kept secret in...	2023	Other Secondary Source	—	—
—	238. Wright & Miller: Federal Prac. & Proc. s 8474, § 8474. FOIA—Agency Searches and Fees Wright & Miller: Federal Prac. & Proc. An agency's search for documents responsive to a request must be by "methods reasonably expected to produce the information requested." An agency cannot unreasonably limit its...	2023	Other Secondary Source	—	14 F.3d
—	239. Wright & Miller: Federal Prac. & Proc. s 8476, § 8476. Judicial Review in FOIA Actions—Some Basics Wright & Miller: Federal Prac. & Proc. Section 552(a)(4)(B) of the FOIA establishes jurisdiction and venue for challenging agency refusals to disclose records. It provides, "[o]n complaint, the district court of the...	2023	Other Secondary Source	—	3 4 F.3d
—	240. 110 Am. Jur. Trials 367, Litigation Under Freedom of Information Act Am. Jur. Trials This article sets forth and examines the procedure for making a request under the Freedom of Information Act (FOIA), from the initial request through judicial review. Practical...	2023	Other Secondary Source	—	—
—	241. Am. Jur. 2d Freedom of Information Acts s 310, § 310. Express assurance of confidentiality Am. Jur. 2d Freedom of Information Acts A source is confidential for purposes of Exemption 7(D) of the Federal Freedom of Information Act (FOIA) where the information was provided under an express assurance of...	2023	Other Secondary Source	—	12 F.3d
—	242. Am. Jur. 2d Freedom of Information Acts s 321, § 321. Identity of source already known from other means Am. Jur. 2d Freedom of Information Acts Exemption 7(D) of the Federal Freedom of Information Act (FOIA) protects the identity of a confidential source from disclosure even though the identity of the informant has become...	2023	Other Secondary Source	—	11 13 F.3d

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—	243. Am. Jur. 2d Freedom of Information Acts s 542, § 542. When there is evidence of agency bad faith Am. Jur. 2d Freedom of Information Acts In camera inspection of withheld documents may be necessary under the Federal Freedom of Information Act (FOIA) to insure that agencies do not misuse the exemptions to conceal...	2023	Other Secondary Source	—	4 F.3d
—	244. THE PUBLIC INTEREST BE DAMNED: LOWER COURT TREATMENT OF THE REPORTERS COMMITTEE "CENTRAL PURPOSE" REFORMULATION 54 Admin. L. Rev. 983 , 1024 L1-3,T3Introduction 984 I. L2-3,T3Reporters Committee's Far-Reaching Implications 988. A. U.S. Department of Justice v. Reporters Committee for Freedom of the Press. 988 B...	2002	Law Review	—	9 F.3d
—	245. WALKING ON UNFAMILIAR GROUND: A PRIMER FOR DEFENSE COUNSEL REPRESENTING CLIENTS IN AN INSPECTOR GENERAL INVESTIGATION 2005-MAR Army Law. 1 , 1 In the course of a two-year assignment as a trial defense counsel (TDC), most defense attorneys are likely to represent numerous Soldiers at courts-martial and administrative...	2005	Law Review	—	11 13 F.3d
—	246. DEFERRING TO SECRECY 54 B.C. L. Rev. 185 , 242+ Abstract: In prescribing de novo judicial review of agencies' decisions to withhold requested information from the public under the Freedom of Information Act (FOIA), Congress...	2013	Law Review	—	15 F.3d
—	247. WAIVING GOODBYE TO NONDISCLOSURE UNDER FOIA'S EXEMPTION 4: THE SCOPE AND APPLICABILITY OF THE WAIVER DOCTRINE 61 Cath. U. L. Rev. 807 , 837 Congress designed the Freedom of Information Act (FOIA) to provide the general public with broad access to information held by government agencies. However, Congress limited the...	2012	Law Review	—	5 F.3d
—	248. SMILE FOR THE CAMERA, THE WORLD IS GOING TO SEE THAT MUG: THE DILEMMA OF PRIVACY INTERESTS IN MUG SHOTS 113 Colum. L. Rev. 2227 , 2275 Under the Freedom of Information Act (FOIA), individuals can request certain agency records, including mug shots, from federal agencies. Until 1996, the policy of the United States...	2013	Law Review	—	8 9 F.3d
—	249. CONTROLLING DISCOURSE, FORECLOSING RECOURSE: THE CREEP OF THE GLOMAR RESPONSE 21 Comm. L. & Pol'y 539 , 559+ The Glomar response to Freedom of Information Act requests-- "we can neither confirm nor deny the existence or nonexistence of records responsive to your request"--was the...	2016	Law Review	—	2 F.3d

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—	<p>250. TAKING ORDERS FROM TWEETS: REDEFINING THE FIRST AMENDMENT BOUNDARIES OF EXECUTIVE SPEECH IN THE AGE OF SOCIAL MEDIA 16 First Amend. L. Rev. 538 , 577</p> <p>When the designers of Twitter were choosing a cute little bird as their logo and drafting their terms of service, it is doubtful that they had the faintest idea that they were...</p>	2018	Law Review	—	<p>3 4</p> <p>F.3d</p>
—	<p>251. PRIVACY AND THE POST-SEPTEMBER 11 IMMIGRATION DETAINEES: THE WRONG WAY TO A RIGHT (AND OTHER WRONGS) 34 Conn. L. Rev. 1169 , 1184</p> <p>[The detainees] can make their identity public, if they wish to. Amnesty International is concerned that some [post-9/11] detainees have been held under such secrecy that their...</p>	2002	Law Review	—	<p>9</p> <p>F.3d</p>
—	<p>252. THE EXALTATION OF PRIVACY DOCTRINES OVER PUBLIC INFORMATION LAW 45 Duke L.J. 1249 , 1300+</p> <p>Early last year, reporter Russell Carollo at the Dayton Daily News picked up the scent of a story that his instincts told him would knock the Sunday morning socks off his readers,...</p>	1996	Law Review	—	<p>9</p> <p>F.3d</p>
—	<p>253. 05-12 Immigration Briefings 1, ACCESS TO FEDERAL GOVERNMENT RECORDS UNDER FOIA</p> <p>According to the Department of Justice, there were 3,266,394 Freedom of Information Act and Privacy Act requests made to the fifteen federal government departments and 73 other...</p>	2005	Law Review	—	<p>11</p> <p>F.3d</p>
—	<p>254. MY LIFE IS NOT MY OWN: DO CRIMINAL ARRESTEES' PRIVACY INTERESTS IN MUG SHOTS OUTWEIGH PUBLIC'S DESIRE FOR DISCLOSURE? 30 J. Marshall J. Info. Tech. & Privacy L. 307 , 323+</p> <p>While attending a party on a summer night, imagine that you are arrested and charged with failure to disperse. Not only do you think the accusation is absurd, you find that your...</p>	2013	Law Review	—	<p>8 9</p> <p>F.3d</p>
—	<p>255. BLETHEN MAINE NEWSPAPERS, INC. V. STATE: BALANCING THE PUBLIC'S RIGHT TO KNOW AGAINST THE PRIVACY RIGHTS OF VICTIMS OF SEXUAL ABUSE 59 Me. L. Rev. 235 , 258</p> <p>In <i>Blethen Maine Newspapers, Inc. v. State</i>, a sharply divided Maine Supreme Judicial Court, sitting as the Law Court, held that release of records relating to Attorney General G....</p>	2007	Law Review	—	—
—	<p>256. PUBLIC UNDERSIGHT 106 Minn. L. Rev. 2221 , 2297+</p> <p>Introduction. 2222 I. Public Oversight. 2230 A. Sources of Public Oversight. 2231 1. Constitutional and Common Law Sources. 2232 2. Statutory and Regulatory Sources....</p>	2022	Law Review	—	—














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—	<p>257. WHOSE LINE IS IT ANYWAY: DIFFERING INTERPRETATIONS OF THE LAW ENFORCEMENT EXCEPTION OF THE FREEDOM OF INFORMATION ACT 7 Nat'l Sec. L.J. 67 , 320</p> <p>The Freedom of Information Act (FOIA) was enacted to provide the public with access to information on the government's activities. In trying to strike the right balance between...</p>	2020	Law Review	—	—
—	<p>258. BITS, BYTES, AND THE RIGHT TO KNOW: HOW THE ELECTRONIC FREEDOM OF INFORMATION ACT HOLDS THE KEY TO PUBLIC ACCESS TO A WEALTH OF USEFUL GOVERNMENT DATABASES 15 Santa Clara Computer & High Tech. L.J. 73 , 108</p> <p>I. Introduction. 73 II. The Freedom of Information Act. 76 III. The Electronic Freedom of Information Act Amendments. 81 IV. EFOIA Section 3 and SDC Development Corp. v . Mathews....</p>	1999	Law Review	—	—
—	<p>259. A MEASURED APPROACH TO E-DISCOVERY: A FEDERAL PRACTITIONER'S GUIDE TO THE CIVIL AND ETHICAL RULES GOVERNING E-DISCOVERY 64 S.C. L. Rev. 755 , 763</p> <p>I. A Primer on the Basic Discovery Rules. 756 A. Step One: Defining Relevance, Federal Rule of Civil Procedure 26(b)(1). 756 B. Step Two: Identifying Protected Documents, Federal...</p>	2013	Law Review	—	<p>2 F.3d</p>
—	<p>260. A PICTURE SAYS A THOUSAND WORDS: APPLYING FOIA'S EXEMPTION 7(C) TO MUG SHOTS 88 St. John's L. Rev. 789 , 823+</p> <p>Joe Smith is the CEO of a hedge fund company located in New York. He is well known in both the financial business sector and his local community. Smith was arrested for tax...</p>	2014	Law Review	—	<p>8 9 F.3d</p>
—	<p>261. ADMINISTRATIVE LAW-FIRST CIRCUIT DECIDES QUALIFIED FEDERAL LAW ENFORCEMENT PRIVILEGE OUTWEIGHS STATE'S PREROGATIVE TO ENFORCE CRIMINAL CODE-PUERTO RICO V. UNITED STATES, 490 F.3D 50 (1ST CIR. 2007) 41 Suffolk U. L. Rev. 313 , 320</p> <p>In 1946, Congress enacted the Administrative Procedure Act (APA), establishing the standards under which federal courts may review the decisions of government agencies. In...</p>	2008	Law Review	—	<p>9 F.3d</p>
—	<p>262. HOW ABOUT A LITTLE PERSPECTIVE: THE USA PATRIOT ACT AND THE USES AND ABUSES OF HISTORY 9 Tex. Rev. L. & Pol. 17 , 61+</p> <p>I. Introduction. 18 II. The Context of the Times. 21 A. The 1960s Terrorist Threat. 21 B. Hyperbolic Arguments. 23 C. The U.S. Courts and 1960s Terrorism. 26 III. The...</p>	2004	Law Review	—	<p>9 F.3d</p>


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—	<p>263. A PRESCRIPTION FOR HEALING A NATIONAL WOUND: TWO DOSES OF EXECUTIVE DIRECT ACTION EQUALS A PORTION OF JUSTICE AND A SERVING OF REDRESS FOR AMERICA & THE BLACK PANTHER PARTY</p> <p>5 U. Miami Race & Soc. Just. L. Rev. 1 , 72+</p> <p>I. Introduction. 2 II. Victims and Their Victimization. 5 III. The Societal and Global Benefits of Redress. 27 IV. Redress Solution: Two Forms of Executive Direct Action. 34 V....</p>	2015	Law Review	—	—
—	<p>264. "I SHALL HEAR YOU NO FURTHER."</p> <p>27 Vt. L. Rev. 565 , 648</p> <p>"Colorless green ideas sleep furiously." Thomas Argos was the most persuasive person in the world. He could convince the most pious of nuns to tell bald lies and pathological...</p>	2003	Law Review	—	—
—	<p>265. PRIVACY RIGHTS VERSUS FOIA DISCLOSURE POLICY: THE "USES AND EFFECTS" DOUBLE STANDARD IN ACCESS TO PERSONALLY-IDENTIFIABLE INFORMATION IN GOVERNMENT RECORDS</p> <p>12 Wm. & Mary Bill Rts. J. 1 , 64</p> <p>The U.S. government maintains a vast amount of personally-identifiable information on millions of American citizens. Much of this information is contained in electronic databases...</p>	2003	Law Review	—	—
—	<p>266. FOIA'S COMMON LAW</p> <p>36 Yale J. on Reg. 575 , 624</p> <p>The Freedom of Information Act (FOIA) replaced the near-total control that agencies held over their records with a judicially enforceable "right" of public access to agency...</p>	2019	Law Review	—	<p>8</p> <p>9</p> <p>F.3d</p>
—	<p>267. PROTECTING CONFIDENTIAL LEGAL INFORMATION A HANDBOOK FOR ANALYZING ISSUES UNDER THE ATTORNEY-CLIENT PRIVILEGE AND THE WORK PRODUCT DOCTRINE</p> <p>In 2005, we have again updated our reference, Protecting Confidential Legal Information: A Handbook for Analyzing Issues Under the Attorney-Client Privilege and the Work Product...</p>	2006	Other Secondary Source	—	<p>2</p> <p>3</p> <p>F.3d</p>
—	<p>268. P 700,012 ANIMAL LEGAL DEFENSE FUND V. FDA</p> <p>Food Drug Cosmetic Law Reporter</p> <p>Animal Legal Defense Fund v. FDA U.S. Court of Appeals, Ninth Circuit. No. 13-17131, D.C. No. 3:12-cv-04376-EDL. Opinion filed April 11, 2016. Judge Graber The panel affirmed the...</p>	2016	Other Secondary Source	—	<p>1</p> <p>F.3d</p>

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—	<p>269. P 38,708 CAMPAIGN FOR RESPONSIBLE TRANSPLANTATION V. UNITED STATES FOOD AND DRUG ADMINISTRATION AND CIRCE BIOMEDICAL, INC. ET AL. Food Drug Cosmetic Law Reporter</p> <p>CAMPAIGN FOR RESPONSIBLE TRANSPLANTATION v. UNITED STATES FOOD AND DRUG ADMINISTRATION AND CIRCE BIOMEDICAL, INC. ET AL. In the U.S. District Court, D. District of Columbia. 219...</p>	2002	Other Secondary Source	—	<p>3 F.3d</p>
—	<p>270. P 173,461 KENNETH E. BROWN PLAINTIFF V. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION DEFENDANT. Labor & Employment Law</p> <p>KENNETH E. BROWN PLAINTIFF v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION DEFENDANT. CIVIL ACTION NO. 4:09CV—111—JHM. United States District Court, W.D. Kentucky, Owensboro Division....</p>	2010	Other Secondary Source	—	<p>4 F.3d</p>
—	<p>271. P 306,877 EMW WOMEN'S SURGICAL CENTERS, P.S.C. V. FRIEDLANDER Medicare and Medicaid Guide</p> <p>EMW Women's Surgical Centers, P.S.C. v. Friedlander ¶ 306,877. U.S. Court of Appeals, Sixth Circuit, No. 18-6161, October 16, 2020. RECOMMENDED FOR PUBLICATION Pursuant to Sixth...</p>	2020	Other Secondary Source	—	<p>3 4 F.3d</p>
—	<p>272. P 300,407 TEXAS CLINICAL LABS, INC. ET AL. V. SHALALA. Medicare and Medicaid Guide</p> <p>Texas Clinical Labs, Inc. et al. v. Shalala. ¶ 300,407. U.S. District Court, N.D. Texas Civil Action No. 3:96-CV-0571-LDec. 21, 1999, 1999 U.S. Dist. LEXIS 19701 IN THE UNITED...</p>	1999	Other Secondary Source	—	<p>3 4 F.3d</p>









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Mentioned	 2. Badhwar v. U.S. Dept. of Air Force 629 F.Supp. 478, D.D.C., 1986 Reporters brought suit seeking access under Freedom of Information Act to documents held by three departments of the United States Armed Forces. The District Court, Oberdorfer,...	Case			249
Mentioned	 3. Curran v. Department of Justice 813 F.2d 473, 1st Cir.(Mass.), 1987 Access to certain FBI documents pertaining to persons, events, and transactions associated with Iran was sought under Freedom of Information Act. Department of Justice moved for...	Case			245
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Mentioned	 6. Halperin v. Central Intelligence Agency 629 F.2d 144, D.C.Cir., 1980 Plaintiff in Freedom of Information Act case appealed from an order of the United States District Court for the District of Columbia, Oliver Gasch, J., which denied him access to...	Case			244
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Cited	<p> 12. John Doe Agency v. John Doe Corp.</p> <p>110 S.Ct. 471, U.S.N.Y., 1989</p> <p>Defense contractor which had received subpoena from grand jury for certain records relating to a cost allocation which had been the subject of a prior government audit brought...</p>	Case		”	245+
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Cited	 15. Kissinger v. Reporters Committee for Freedom of the Press 100 S.Ct. 960, U.S. Dist. Col., 1980 Freedom of information actions were brought seeking access to records and notes of defendant's official telephone conversations during his service as Assistant to President for...	Case			249
Mentioned	 16. Kuehnert v. FBI 620 F.2d 662, 8th Cir.(Mo.), 1980 Plaintiff, who sought disclosure by the FBI of certain documents under Freedom of Information Act, appealed from an order of the United States District Court for the Eastern...	Case			245
Discussed	 17. Lesar v. U.S. Dept. of Justice 636 F.2d 472, D.C.Cir., 1980 Proceeding was instituted to gain access under the Freedom of Information Act to papers and investigative reports in the custody and control of Department of Justice with respect...	Case		”	240+
Cited	 18. Massey v. F.B.I. 3 F.3d 620, 2nd Cir.(N.Y.), 1993 Person convicted of murder sought to compel Federal Bureau of Investigation (FBI) to disclose documents pertaining to murder investigation. The United States District Court for...	Case			247
Mentioned	 19. McDonnell v. U.S. 4 F.3d 1227, 3rd Cir.(N.J.), 1993 Authors investigating fire on ocean liner in 1934 brought action seeking disclosure of requested documents withheld by government under various exemptions of the Freedom of...	Case			242+
Cited	 20. Meeropol v. Meese 790 F.2d 942, D.C.Cir., 1986 Requestors filed complaint charging that government was willfully failing to produce records to which they were legally entitled pursuant to their request under the Freedom of...	Case			242
Cited	 21. National Security Information 1982 WL 80747, Pres.Exec.Order, 1982 This Order prescribes a uniform system for classifying, declassifying, and safeguarding national security information. It recognizes that it is essential that the public be...	Administrative Decision & Guidance			244+

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Mentioned	<p> 22. Parker v. Department of Justice</p> <p>934 F.2d 375, D.C.Cir., 1991</p> <p>State prisoner, who had been convicted of kidnapping and murdering child, brought action seeking disclosure under Freedom of Information Act of information from Department of...</p>	Case			249
Cited	<p>23. Patterson by Patterson v. F.B.I.</p> <p>893 F.2d 595, 3rd Cir.(N.J.), 1990</p> <p>School child who received flood of international correspondence in connection with a sixth grade project brought action against the Federal Bureau of Investigation, and John Doe...</p>	Case			244
Declined to Follow	<p> 24. Pratt v. Webster</p> <p>673 F.2d 408, D.C.Cir., 1982</p> <p>Plaintiff filed a proceeding against the Federal Bureau of Investigation relying on provisions of the Freedom of Information Act and the Privacy Act. The United States District...</p>	Case		”	245+
Mentioned	<p> 25. Schwaner v. Department of Air Force</p> <p>898 F.2d 793, D.C.Cir., 1990</p> <p>Insurance agent brought action against Air Force under Freedom of Information Act, seeking disclosure of list of names and addresses of personnel of base. The United States...</p>	Case			244
Examined	<p> 26. U.S. Dept. of Justice v. Landano</p> <p>113 S.Ct. 2014, U.S.N.J., 1993</p> <p>Freedom of Information. Government not entitled to presumption that sources supplying information to FBI are confidential.</p>	Case		”	247+
Discussed	<p> 27. U.S. Dept. of Justice v. Reporters Committee For Freedom of Press</p> <p>109 S.Ct. 1468, U.S.Dist.Col., 1989</p> <p>Reporter and association of journalists sought protection of criminal records pursuant to Freedom of Information Act. The United States District Court for the District of...</p>	Case		”	242+
Cited	<p> 28. U.S. Dept. of State v. Ray</p> <p>112 S.Ct. 541, U.S.Fla., 1991</p> <p>Haitians seeking political asylum sought, under Freedom of Information Act (FOIA), names of Haitian nationals who had been returned to Haiti. The United States District Court for...</p>	Case			242+

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Examined	 29. Vaughn v. Rosen 484 F.2d 820, D.C.Cir., 1973 A law professor doing research on the Civil Service Commission brought an action pursuant to the terms of the Freedom of Information Act to compel disclosure by the Commission of...	Case			241+
Discussed	30. Vaughn v. U.S. 936 F.2d 862, 6th Cir.(Mich.), 1991 Taxpayers sued to compel Internal Revenue Service (IRS) to produce documents pursuant to Freedom of Information Act (FOIA). The United States District Court for the Eastern...	Case		”	242+
Cited	 31. Weisberg v. U.S. Dept. of Justice 745 F.2d 1476, D.C.Cir., 1984 After remand, 631 F.2d 824, requester of materials concerning assassination of Dr. Martin Luther King Jr., appealed from rulings of the United States District Court for the District...	Case			242
Mentioned	32. Weisberg v. U.S. Dept. of Justice 705 F.2d 1344, D.C.Cir., 1983 Suit was instituted under Freedom of Information Act to obtain documents bearing on assassination of President Kennedy. Dismissal of case as moot was reversed, 543 F.2d 308, and...	Case			249
Declined to Follow	 33. Wiener v. F.B.I. 943 F.2d 972, 9th Cir.(Cal.), 1991 Freedom of Information Act (FOIA) Investigation (FBI) regarding late member of British rock group. The United States District Court for the Central District of California,...	Case			242+
Cited	 34. Williams v. F.B.I. 730 F.2d 882, 2nd Cir.(Conn.), 1984 The Federal Bureau of Investigation appealed from a judgment of the United States District Court for the District of Connecticut, T.F. Gilroy Daly, Chief Judge, directing the FBI...	Case		”	245+

History

There are no History results for this citation.

Filings

There are no Filings for this citation.