

EXHIBIT 11



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF MANAGEMENT

Privacy, Information, and Records Management Services

February 22, 2013

Mr. Michael E. Geltner
Geltner and Associates, P.C.
Attorneys at Law
105 North Virginia Avenue, Suite 305
Falls Church, VA 22046
mgeltner@mindspring.com

RE: FOIA Request No. 13-00655-F

Dear Mr. Geltner:

This letter is a final response to your e-mail dated January 21, 2013 requesting information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request has been assigned to the appropriate office within the Department to search for responsive records. You requested information regarding Contract or Order No. ED-08-PO-0685, following solicitation believed to be number ED-08-Q-0008.

Enclosed is a CD containing 39 pages of documents responsive to your request. For your information, the documents are fully releasable without redactions. The documents provided are:

- MODS 1-8 Award Documents

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of a "commercial use" requester. The fee for processing your request totals \$107.41. The breakdown for this cost is as follows: The cost of search time for 2 hours and review time for 2 hours at the rate of pay of a GS-8 plus 16 percent of that rate = \$104.41; the cost for documents recorded on CD at \$3.00=\$107.41.

A check in the amount of \$107.41 should be made payable to the U.S. Department of Education (please include the FOIA number) and sent to the address below. Please note that if the payment is not received, future requests may require advance payment.

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FOIA No. 13-00655-F

Payment Address:

U.S. Department of Education
Office of Management
400 Maryland Avenue, SW, LBJ, 2W311
ATTN: FOIA Office
Washington, DC 20202-4500

You have the right to appeal this decision by writing to the address below, 35 days from the date of this letter. Your appeal should be accompanied by a copy of your initial letter of request and this denial letter, and should contain any evidence or argument you wish the Department to consider in making an administrative determination on your appeal.

Appeal Address:

U.S. Department of Education
Office of Management
400 Maryland Avenue, SW, LBJ 2W311
ATTN: Appeals Office
Washington, DC 20202-4500

Or, you may complete the online FOIA appeal form, located at:
http://www.ed.gov/policy/gen/leg/foia/foia_appeal_form_1.html.

If you have any questions, please contact the FSC at (202) 401-8365 or
EDFOIAManager@ed.gov.

Sincerely,



Christie D. Swafford
FOIA Public Liaison, OM/RIMS

Enclosures