

EXHIBIT 8



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

April 2, 2014

Robert E. Korroch, Esq.
Williams Mullen
Suite 200
721 Lakefront Commons
Newport News, VA 23606
rkorroch@williamsmullen.com

Re: Appeal No. AP-2014-01886
Request No. 2014-03922
SRO:JMB

VIA: E-mail

Dear Mr. Korroch:

You attempted to appeal on behalf of your client, Elumenus Lighting Corporation, Inc., from the failure of the Federal Bureau of Prisons (BOP) to respond to your client's request for access to records concerning administration of the LED Lighting Service and Supply program by Federal Prison Industries.

Department of Justice regulations provide for an administrative appeal to the Office of Information Policy only after there has been an adverse determination by a component. See 28 C.F.R. § 16.9(a) (2013). As no adverse determination has yet been made by BOP, there is no action for this Office to consider on appeal.

As you may know, the Freedom of Information Act authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. § 552(a)(6)(C)(i). However, I can assure you that this Office has contacted BOP and has been advised that your client's request is currently being processed. If your client is dissatisfied with BOP's final response, it may appeal again to this Office.

This Office has forwarded a copy of your letter to BOP. I suggest that you or your client contact BOP's Requester Service Center at 202-514-6655 for further updates regarding the status of your client's request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sean O'Neill".

Sean R. O'Neill
Chief
Administrative Appeals Staff

WILLIAMS MULLEN

Office of Information and Privacy
February 18, 2014
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The courts have long recognized a cause of action for an agency's violation of the FOIA for failing to comply with the statutory time limits. See, e.g., United States Dep't of Justice v. Tax Analysts, 492 U.S. 136 at 151 n. 12 (an agency's inadequate response to a request for records may constitute an improper withholding). Elumenus is prepared to pursue its rights in court if necessary; however, Elumenus is hopeful that the DOJ appeal process can resolve this matter and prompt a meaningful production of records in response to Elumenus' request.

We look forward to your response to this appeal. Please feel free to call me at 757.249.7105 if you care to discuss this matter.

Sincerely,

WILLIAMS MULLEN



Robert E. Korroch

cc: Elumenus Lighting Corporation, Inc.

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