

**TKC AEROSPACE, INC. v. UNITED  
STATES DEPARTMENT OF STATE**

**1:15-CV-680**

**EXHIBIT 3**



575 SEVENTH STREET NW WASHINGTON, DC 20004  
T 202.344.4000 F 202.344.8300 www.Venable.com

Douglas C. Proxmire

T 703.905.1459  
F 703.821.8949  
dproxmire@venable.com

December 18, 2014

**VIA EMAIL**

Chairman, Appeals Review Panel  
c/o Appeals Officer, A/GIS/IPS/PP/LA  
U.S. Department of State, SA-2, Room 8100  
Washington, D.C. 20522-8100

Re: Freedom of Information Act Appeal – Records Relating to Correspondence  
between Charles Taylor Muhs and Department of State  
Case No. F-2013-16333  
Segment: INL1

Dear Sir or Madam:

TKC Aerospace, Inc. (“TKCA”), acting by and through its undersigned counsel,<sup>1</sup> pursuant to the Freedom of Information Act, 5 U.S.C. § 552(a)(6) (“FOIA”) and 34 C.F.R. § 5.40, hereby appeals the decision of the U.S. Department of State (“DOS”), Office of Information Programs and Services to withhold certain information from written correspondence via block redactions and to withhold one record in response to the above-referenced document request. As detailed below, this withholding violates FOIA, the applicable FOIA regulations and FOIA case law. In addition, DOS has further violated FOIA, the applicable regulations and case law by failing to produce all requested responsive documents, including certain email communications identified below, which naturally leads to the conclusion that DOS failed to produce a substantial number of responsive documents.

**I. BACKGROUND OF THE APPEAL**

On September 24, 2013, TKCA, through undersigned counsel, submitted a narrow FOIA request asking that DOS produce: (1) email communications between any representative of DOS’s Office of Aviation (specifically, the Bureau of International Narcotics and Law Enforcement Affairs’ Office of Aviation (“INL/A” or the INL Air Wing)) and Charles Taylor Muhs (“Muhs”); and (2) all internal INL/A communications, including emails that include the

---

<sup>1</sup> The undersigned counsel, Douglas C. Proxmire, submitted the FOIA request at issue on behalf of TKCA. Consistent with the applicable FOIA regulations, the undersigned counsel is also submitting this FOIA appeal on TKCA’s behalf.



Department of State  
December 18, 2014  
Page 2

term/name "Muhs".<sup>2</sup> Muhs was the former Vice President for Business Development at TKCA, and Muhs, TKCA and a third party are currently involved in litigation concerning Muhs's actions following his resignation from TKCA in March 2011. The time period for both requests encompassed March 25, 2011 through the present.<sup>3</sup>

On November 10, 2014, more than a year after TKCA's FOIA request, Charles Lahiguera, Senior Reviewer for DOS, informed TKCA's counsel that he had "completed the Senior Review" and DOS would be releasing 66 documents in full and 17 documents in part.<sup>4</sup> Four days later on November 14, 2014, TKCA's counsel received a formal letter dated November 12, 2014 from John F. Hackett, Acting Director, Office of Information Programs and Services, explaining that the search of records "resulted in the retrieval of 84 documents responsive to your request."<sup>5</sup> Mr. Hackett further explained that of those 84 documents, "66 may be released in full, 17 may be released with excisions, and one must be withheld in full."<sup>6</sup> With respect to the documents "released with excisions[.]" DOS cited FOIA exemptions (b)(4) and (b)(6) – five documents were "excised" under (b)(4), 11 documents were "excised" under (b)(6) and one document was excised under both (b)(4) and (b)(6); and concerning the withheld document, DOS claimed FOIA exemption (b)(4).

Other than simply identifying the exemption which DOS applied to the eighteen documents that were excised in whole or in part, DOS failed to provide any other statements or explanations for its withholding of requested information under FOIA. When TKCA subsequently requested additional explanations for such withholdings, the DOS Senior Reviewer directed TKCA to pursue this FOIA appeal and refused to provide any additional information that could have led to an informal resolution of some or all of TKCA's concerns about DOS's FOIA response.<sup>7</sup> As a result, TKCA files this appeal seeking the information that FOIA requires DOS to provide.

---

<sup>2</sup> Exhibit A (FOIA Request). TKCA provided DOS with five email addresses associated with Muhs: [chuck.muhs@tkca.com](mailto:chuck.muhs@tkca.com), [cmuhs@knowledgeintl.com](mailto:cmuhs@knowledgeintl.com), [ctmuhs@msn.com](mailto:ctmuhs@msn.com), [chuck@phoenixheliparts.com](mailto:chuck@phoenixheliparts.com), [ctmuhs@me.com](mailto:ctmuhs@me.com). *See id.*

<sup>3</sup> *See id.*

<sup>4</sup> *See* Exhibit B (11/10/14 C. Lahiguera Email to D. Proxmire).

<sup>5</sup> *See* Exhibit C (FOIA Response Letter).

<sup>6</sup> *Id.*

<sup>7</sup> *See* Exhibit B (explaining to TKCA's counsel that if he "wish[ed] to appeal the denial of any material or if [he] wish[ed] to appeal the adequacy of [the] search, please file [his] appeal with the address provided in the FOIA response letter.").



Department of State  
December 18, 2014  
Page 3

## II. ANALYSIS

“FOIA’s basic purpose reflects ‘a general philosophy of full agency disclosure unless information is exempted under clearly delineated statutory language.’”<sup>8</sup> “FOIA contains nine exemptions set forth in 5 U.S.C. § 552(b), which ‘are explicitly made exclusive and must be narrowly construed.’”<sup>9</sup> Such exemptions “do not obscure the basic policy that disclosure, not secrecy, is the dominant objective of the Act.”<sup>10</sup> Thus, where an agency invokes an exemption to FOIA, such agency:

[H]as the burden ‘to establish that the requested information is exempt.... In order to carry this burden, an agency must submit sufficiently detailed affidavits or declarations, a *Vaughn* index of withheld documents, or both, to demonstrate that the government has analyzed carefully any material withheld, to enable the court to fulfill its duty of ruling on the applicability of the exemption, and to enable the adversary system to operate by giving the requester as much information as possible, on the basis of which he can present his case to the trial court.”<sup>11</sup>

In the instant case, as mentioned above, DOS has relied upon two FOIA exemptions to justify its decision to redact certain information: (b)(4) and (b)(6), and has relied on (b)(4) to withhold one record. Contrary to FOIA case law and regulation, DOS failed to provide any rationale for its reliance on such exemptions. For this reason alone and for the additional reasons detailed below, DOS’s reliance on the aforementioned FOIA exemptions is improper and must be overturned.

### 1. Exemption 4

As specifically identified below, DOS withheld all or substantial portions of seven documents citing Exemption 4, without further explanation why Exemption 4 justified such withholding. Exemption 4 protects from disclosure “trade secrets and commercial or financial information obtained from a person and privileged or confidential[.]”<sup>12</sup> Stated otherwise, Exemption 4 protects: (1) trade secrets and (2) information that is (a) commercial or financial, and (b) obtained from a person and (c) privileged or confidential.<sup>13</sup> In *Public Citizen Health*

---

<sup>8</sup> *Multi Ag Media, LLC v. Dep’t of Agric.*, 515 F.3d 1224, 1227 (D.C. Cir. 2008) (quoting *Dep’t of Air Force v. Rose*, 425 U.S. 352, 260-61) (1976)).

<sup>9</sup> *Pub. Citizen v. United States Dep’t of Health and Human Servs*, 975 F. Supp. 2d 81, 93 (D.D.C. 2013) (quoting *United Techs. Corp. v. United States Dep’t of Defense*, 601 F.3d 557, 559 (D.C. Cir. 2010)).

<sup>10</sup> *Pub. Citizen*, 975 F. Supp. 2d at 93 (quoting *Dep’t of Air Force v. Rose*, 425 U.S. 352, 361 (1976)).

<sup>11</sup> *Pub. Citizen*, 975 F. Supp. 2d at 94 (emphasis added).

<sup>12</sup> 5 U.S.C. § 552(b)(4).

<sup>13</sup> See Dep’t of Justice Guide to the Freedom of Information Act (hereinafter “DOJ FOIA Guide”) – Exemption 4 at 1.



Department of State  
December 18, 2014  
Page 4

*Research Group v. FDA*, the D.C. Circuit explained that a trade secret, “for the purpose of FOIA Exemption 4,” is “a secret, commercially valuable plan, formula, process, or device that is used for the making, preparing, compounding, or processing of trade commodities and that can be said to be the end product of either innovation or substantial effort.”<sup>14</sup>

If the requested information is not a trade secret, “to sustain the burden of showing that Exemption 4 was properly applied, an agency must establish that the withheld records are ‘(1) commercial or financial, (2) obtained from a person, and (3) privileged or confidential.’”<sup>15</sup> With respect to the terms “commercial or financial,” courts have applied their ordinary meanings.<sup>16</sup> Thus, “‘information is commercial under this exemption if, in and of itself, it serves a commercial function or is of a commercial nature[.]’”<sup>17</sup> *i.e.*, “‘records that actually reveal basic commercial operations, such as sales statistics, profits and losses, and inventories, or relate to the income-producing aspect of a business[.]’”<sup>18</sup> The term “commercial” further includes “‘records that...relate to income-producing aspects of a business....’”<sup>19</sup> As such, courts generally have recognized that commercial or financial information includes: “business sales statistics, research data, technical designs, overhead and operating costs, and information on financial condition.”<sup>20</sup> “The scope of ‘commercial’ information also has been applied more broadly to records containing information in which the provider of the records has a ‘commercial interest[.]’”<sup>21</sup> but does not include “a bare list of names and addresses of employees which employers are required by law to give to the [agency]” or a “list of aircraft registration numbers.”<sup>22</sup> Indeed, “the D.C. Circuit has cautioned that, consistent with the narrow construction given to FOIA exemptions, ‘[n]ot every bit of information submitted to the government by a commercial entity qualifies for protection under Exemption 4.’”<sup>23</sup>

The confidentiality of such information may depend on whether the information was voluntarily or involuntarily submitted.<sup>24</sup> Involuntarily submitted information (*i.e.*, information that an entity or individual was required to provide to the Government) is confidential “‘for purposes of the exemption if disclosure of the information is likely to have either of the

<sup>14</sup> *Pub. Citizen Health Research Group v. FDA*, 704 F.2d 1280, 1288 (D.C. Cir. 1983).

<sup>15</sup> *Pub. Citizen*, 975 F. Supp. 2d at 98 (quoting *Pub. Citizen Health Research Grp.*, 704 F.2d at 1290).

<sup>16</sup> *See Pub. Citizen*, 975 F. Supp. 2d at 99 (explaining that “[a]bsent a precise statutory definition or clarity from the legislative history, the D.C. Circuit has ‘consistently held that [this] term...in [Exemption 4] should be given [its] ordinary meaning[.]’”).

<sup>17</sup> *Id.* (quoting *Nat’l Ass’n of Home Builders v. Norton*, 309 F.3d 26, 38 (D.C. Cir. 2002)).

<sup>18</sup> *Pub. Citizen*, 975 F. Supp. 2d at 99 (quoting *Pub. Citizen Research Grp.*, 704 F.2d at 1290).

<sup>19</sup> *Judicial Watch, Inc. v. United States Dep’t of Treasury*, 796 F. Supp. 2d 13, 35 (D.D.C. 2011) (quoting *Baker & Hostetler v. Dep’t of Commerce*, 473 F.3d 312, 319 (D.C. Cir. 2006)).

<sup>20</sup> *Landfair v. U.S. Dep’t of Army*, 645 F. Supp. 325, 327 (D.D.C. 1986).

<sup>21</sup> *Pub. Citizen*, 975 F. Supp. 2d at 100 (quoting *Baker & Hostetler*, 473 F.3d at 319).

<sup>22</sup> *Pub. Citizen*, 975 F. Supp. 2d at 100 (quoting *Getman v. NLRB*, 450 F.2d 670, 673 (D.C. Cir. 1971)).

<sup>23</sup> *Id.* at 101.

<sup>24</sup> *See Critical Mass Energy Project v. Nuclear Regulatory Comm’n*, 975 F.2d 871 (D.C. Cir. 1992).



Department of State  
December 18, 2014  
Page 5

following effects: (1) impair the Government's ability to obtain necessary information in the future; or (2) cause substantial harm to the competitive position of the person from whom the information was obtained."<sup>25</sup> Importantly, the Government "has the burden of showing that substantial harm by its release would be likely[,]" and "[c]onclusory statements that this information would result in substantial harm are insufficient to meet the burden."<sup>26</sup> If the commercial and financial information has been submitted voluntarily, this information

[M]ay be withheld to protect the government's "continuing availability to secure such data on a cooperative basis" and to protect the interests of the person who submitted the information." Such information is protected when "it is of a kind that would customarily not be released to the public by the person from whom it was obtained."<sup>27</sup>

The court in *Critical Mass* explained that such a test is objective and, thus, "[a]s with any claim under FOIA...the agency invoking Exemption 4 must meet the burden of proving the provider's custom."<sup>28</sup>

Here, the Government has not met its burden with respect to the information that it has redacted in the emails listed below regardless of whether such information was submitted involuntarily or voluntarily. Indeed, the Government did not offer any explanation (or even a conclusory statement identifying whether DOS considered the redacted information to constitute a trade secret or protected commercial or financial information) about why it believes the redacted information meets the prerequisites for application of Exemption 4 – perhaps because it cannot. Moreover, as discussed in more detail below, to the extent any of the information is exempt under (b)(4), it appears that DOS has redacted more information than is appropriate under FOIA as there has been no showing that the withheld information relates "to the income-producing aspect of a business" or would inhibit DOS's "ability to secure such data on a cooperative basis" as is required to apply the (b)(4) exemption.

Further, at the time of most of Muhs's communications at issue in this FOIA appeal, Muhs was constrained under a non-compete agreement with TKCA and/or under an injunction issued by the U.S. District Court for Alaska, which expressly prohibited Muhs from engaging in any activity that would be competitive with TKCA.<sup>29</sup> As a result, Muhs lacked the capacity to exchange communications with DOS relating "to the income-producing aspect of business" or to

<sup>25</sup> *Id.* at 328 (quoting *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974)).

<sup>26</sup> *Delta Ltd. v. U.S. Customs and Border Protection Bureau*, 393 F. Supp. 2d 15, 18 (D.D.C. 2005).

<sup>27</sup> *Id.* at 18 (quoting *Critical Mass*, 975 F.2d at 879).

<sup>28</sup> *Critical Mass*, 975 F.2d at 879.

<sup>29</sup> See Exhibits D (Preliminary Injunction) and E (Order Denying Motion to Continue Preliminary Injunction).



Department of State  
December 18, 2014  
Page 6

otherwise exchange proprietary data with DOS on behalf of any entity other than TKCA.<sup>30</sup> The DOS reviewers handling this FOIA request were aware of these restrictions upon Muhs at the time it was processing TKCA's FOIA request.<sup>31</sup> As a result, DOS lacks any basis to apply Exemption 4 to the Muhs/DOS communications at issue in this appeal.

Finally, with respect to the entire document that DOS has withheld as exempt under (b)(4), DOS has not offered any information about this document, including information that is clearly not exempt such as the date of the document; the sender, recipient and copied individuals, if any; the subject line; and any other segregable information that is not exempt.<sup>32</sup> In sum, DOS has failed to demonstrate that the redacted information and the withheld document are exempt from disclosure under (b)(4). As a result, we respectfully request that the Panel direct DOS to produce all of the redacted portions of the documents identified below and produce the previously withheld document in its entirety.

*a. June 9, 2011 C. Muhs Email to D. Aslett re FW Market Info: Q400 and CRJ900 aircraft*

DOS has redacted an entire email from a larger email chain involving communications that Muhs appears to have received from a third party and then forwarded to DOS. As a result of ongoing litigation involving Muhs, counsel for TKCA is in possession of this correspondence. Due to a protective order issued in that litigation, TKCA cannot describe and/or identify the content of this email in this submission. However, there is no arguable basis for DOS to fail to produce all or reasonably segregable portions of the selected correspondence given that the entire block redaction does not relate to the "income producing aspect of a business" as Muhs could not have legally represented any business or commercial enterprise, other than TKCA, at this time.

*b. June 10, 2011 C. Muhs Email to D. Aslett re FW Q400 and CRJ900 aircraft*

The email that DOS has redacted from this email chain is the same email redacted in the June 9, 2011 correspondence listed above. Once again, counsel for TKCA possesses a non-redacted version of this correspondence, and there is no reasonable basis for DOS to fail to

---

<sup>30</sup> *Id.* Indeed, as mentioned above, when Muhs left TKCA in March 2011, he was TKCA's Vice President for Business Development. Consequently, any of Muhs's communications of a commercial nature with DOS would have been covered by the non-compete and the injunctive relief that was in place until late March 2013.

<sup>31</sup> See Exhibit F (9/29/14 D. Proxmire Email to C. Ellis re FOIA request F-2013-16333).

<sup>32</sup> See Exhibit B (explaining to Mr. Lahiguera, Senior Reviewer for DOS, that even though DOS advised that "'one document' was withheld based upon exemption (b)(4)[.]" "we are still entitled to know the following details that would not be covered by this exemption: a) the date of the email(s) withheld, b) the to/from/cc information; c) the subject line, d) any other information contained in the email that is not covered by the exemption.").



Department of State  
December 18, 2014  
Page 7

produce all or reasonably segregable portions of this communication as Muhs was not an authorized representative of any business other than TKCA at this time.<sup>33</sup>

*c. June 28, 2011 C. Muhs Email to D. Aslett re FW Contractual Conveyances*

DOS had redacted an entire email from the email chain as well as the individual who is copied thereto. The identity of the individual copied is certainly not exempt information and DOS has not explained how the redacted information meets the prerequisites for exemption under (b)(4). Further, it is questionable whether any of the redacted information is exempt as the subject of the email indicates the discussion merely pertains to contractual conveyances and, again, Muhs was not an authorized representative of any business other than TKCA at this time.

*d. July 6, 2011 C. Muhs Email to D. Aslett re Market Research- Bombardier CRJ 900*

DOS has redacted over half of the July 6, 2011 email exchange between Muhs and Mr. Aslett. Though the subject line indicates that the email discusses market research, there is no indication that the entirety of the redacted portion is exempt for production under FOIA – in fact, DOS has not (1) indicated whether it believes such information is exempt under (b)(4) as a trade secret or commercial or financial information; or (2) articulated how such information is privileged and/or confidential. Regardless of the type of information (*i.e.*, trade secret or commercial or financial information), DOS has not met its burden demonstrating that the redacted information is protected from disclosure under FOIA exemption (b)(4).

*e. December 16, 2011 D. Aslett Email to C. Muhs re Radio Configurations (Market Research)*

DOS has redacted what appears to be the price of a part to a B1900 in Afghanistan. Other than marking such information as exempt under (b)(4), DOS has not articulated why such information falls within the confines of the (b)(4) exemption, as Muhs was not an authorized representative of any business other than TKCA at this time. Accordingly, DOS has failed to meet its burden to establish that the requested information is exempt.

---

<sup>33</sup> One purpose of this FOIA request is to address the concern that Muhs wrongfully withheld Muhs/DOS documents from TKCA in the ongoing litigation. As a result, TKCA possesses some, but not all of the Muhs/ DOS communications. TKCA is pursuing this appeal, in part, to ensure that TKCA has access to all DOS/Muhs communications that Muhs should have produced, but failed to do so, in connection with that litigation.





Department of State  
December 18, 2014  
Page 8

*f. June 24, 2013 C. Muhs Email to D. Aslett re Raytheon Contact*

DOS has redacted all but a sentence of the first email in this email chain as exempt under (b)(4). The email subject indicates that the discussion concerns market research of radio configurations; however, DOS has not indicated whether it believes such information constitutes the type of information exempt from disclosure under (b)(4), *i.e.*, trade secrets and privileged or confidential commercial or financial information. Moreover, to the extent DOS believes such information constitutes commercial or financial information, DOS has failed to articulate why such information is confidential and/or privileged. Thus, DOS has not met its burden that such information should not be released.

*g. Unidentified Email Withheld in its Entirety*

As mentioned above, in addition to the information redacted as exempt under (b)(4), DOS claims that an entire document is exempt from disclosure under (b)(4). However, despite TKCA's counsel's prior request to simply identify the basic details of the communication (*i.e.*, date, to, from, cc, subject), DOS refused to offer any information about this document, including information that would not be exempt such as the date of the document; the sender, recipient and copied individuals, if any; the subject line; and any other segregable information that is not exempt.

## **2. Exemption 6**

In addition to the email and portions of emails that DOS withheld under Exemption 4, DoS withheld portions of 12 emails pursuant to Exemption 6, while failing to offer any further explanation for such withholding. Exemption 6 applies to a limited category of information. Indeed, under this exemption, FOIA only protects from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."<sup>34</sup> Legislative history suggests that "Congress' primary purpose in enacting Exemption 6 was to protect individuals from the injury and embarrassment that can result from the unnecessary disclosure of personal information."<sup>35</sup>

To determine whether disclosure is warranted when Exemption 6 may apply, courts require agencies to conduct the following four-step analysis: (1) "determine whether the information at issue is a personnel, medical, or 'similar file'"; (2) "determine whether there is a significant privacy interest in the requested information;" (3) "evaluate the requester's asserted FOIA public interest in disclosure; and (4) "if there is a significant privacy interest in non-disclosure and a FOIA public interest disclosure, balance those competing interests to determine

---

<sup>34</sup> 5 U.S.C. § 552(b)(6).

<sup>35</sup> *U.S. Dep't of State v. Washington Post Co.*, 456 U.S. 595, 599 (1982).



Department of State  
 December 18, 2014  
 Page 9

whether disclosure ‘would constitute a clearly warranted invasion of personal privacy.’”<sup>36</sup>  
Importantly, ““under Exemption 6, the presumption in favor of disclosure is as strong as can be found anywhere in the Act.””<sup>37</sup>

With respect to the first prong of the aforementioned four-step analysis – determining whether documents constitute personnel, medical and similar files – the Supreme Court has explained with specificity that “similar files” constitute information that “applies to a particular individual[,]” *i.e.*, “detailed Government records on an individual which can be identified as applying to that individual”<sup>38</sup> such as citizenship information,<sup>39</sup> “records of former officials’ requests for archived materials,”<sup>40</sup> the recording of a person’s voice inflection at a particular moment,<sup>41</sup> and “investigations of alleged corruption, passport applications, asylum requests, or detainee abuse.”<sup>42</sup> Further, ““information such as place of birth, date of birth, date of marriage, employment history, and comparable data...would be exempt from any disclosure that would constitute a clearly unwarranted invasion of privacy.””<sup>43</sup>

To the extent an agency determines a record constitutes a personnel, medical or similar file, the second prong of the analysis requires the agency to determine whether there is a significant (as opposed to *de minimis*) privacy interest in the requested information. Such threats to privacy interests must be “more palpable than mere possibilities.”<sup>44</sup> For example, “[s]ubstantial privacy interests cognizable under the FOIA are generally found to exist in such personally identifying information such as a person’s...address, image, computer user ID, phone number, date of birth, criminal history, medical history, and social security number.”<sup>45</sup> “If no significant privacy interest is implicated (and if no other Exemption applies), FOIA demands disclosure.”<sup>46</sup>

In the instant case, DOS has not met its burden to demonstrate that the redacted information is exempt from disclosure under (b)(6) as it has not even answered the threshold question of whether such information is a personnel, medical or similar file. In fact, a review of the context of these emails at issue indicate that it is very unlikely that the redacted information is part of a personnel or medical file. Moreover, as discussed in more detail below, the subject

<sup>36</sup> DOJ FOIA Guide – Exemption 4 at 1-2.

<sup>37</sup> *Multi Ag Media*, 515 F.3d at 1227.

<sup>38</sup> *Washington Post*, 456 U.S. at 602 (emphasis added).

<sup>39</sup> *See id.*

<sup>40</sup> *Cook v. Nat’l Archives & Records Admin.*, 758 F.3d 168 (2014).

<sup>41</sup> *See United States Dep’t of State v. Ray*, 502 U.S. 164 (1991).

<sup>42</sup> *See Families for Freedom v. U.S. Customs and Border Protect.*, 837 F. Supp. 2d 287 (S.D.N.Y. 2011).

<sup>43</sup> *Nat’l Ass’n of Retired Federal Employees v. Horner*, 879 F.2d 873, 874 (D.C. Cir. 1989) (quoting *Washington Post*, 456 U.S. at 875).

<sup>44</sup> *Dep’t of Air Force v. Rose*, 425 U.S. 352, 380 n.19 (1976).

<sup>45</sup> DOJ FOIA Guide – Exemption 6 at 424.

<sup>46</sup> *Nat’l Ass’n of Retired Federal Employees*, 879 F.2d at 874.



Department of State  
December 18, 2014  
Page 10

lines and unredacted portions of the emails suggest that the redacted portions also do not constitute “similar files” as the courts have interpreted the term. And finally, to extent any redacted information meets the threshold requirement (which TKCA contends it does not), DOS has not demonstrated that disclosure of this information would implicate any significant privacy interest.<sup>47</sup> For these reasons and the reasons articulated below, TKCA objects to DOS’s redactions and respectfully requests that DOS release the information that it claims as exempt.

*a. May 12, 2011 C. Muhs Email to D. Aslett re PHP<sup>48</sup>*

DOS has redacted the final sentence of this email as exempt under (b)(6). Like the June 2011 email under Exemption 4, TKCA has an unredacted version of this correspondence, which it cannot describe here because of a protective order issued in ongoing litigation, but there is no arguable basis for DOS to fail to produce all or reasonably segregable portions of the selected correspondence.

*b. June 3, 2011 C. Muhs Email to D. Aslett re Situational Awareness*

DOS has redacted the entire substance of the email; however, the email subject is “Situational Awareness” and the attachment is “Proxmire ltr dated 6-3-11.” Based on this information, it is difficult to imagine that the content of Muhs’s email is sufficiently like a personnel, medical or similar file to meet Exemption 6’s threshold requirement.

*c. June 11, 2011 C. Muhs Email to D. Aslett re Review*

DOS has redacted the majority of this email as well as the name of the attachment as exempt pursuant to (b)(6). As an initial matter, the name of the attachment is not exempt under (b)(6) and DOS should immediately release this information to TKCA. Moreover, there is no indication from the email subject or the two unredacted sentences (“Hope your [sic] having a good weekend.....Thanks again!”) that the redacted portion of the email itself is protected from disclosure as a medical, personnel, or similar file in which there is a significant privacy interest that must be protected.

*d. July 10, 2011 C. Muhs Email to D. Aslett re Theo*

DOS has redacted the entire email except for the sender, recipient, date and subject (“Theo”) information and the words “Doug,...[REDACTED] Thanks, Chuck.” Once again, there is nothing on the face of the email suggesting that such email contains information akin to a

---

<sup>47</sup> See *Multi Ag Media*, 515 F.3d at 1229 (D.C. Cir. 2008).

<sup>48</sup> PHP is the acronym for Phoenix Heliparts.



Department of State  
December 18, 2014  
Page 11

medical, personnel or similar file. Moreover, even if it does, DOS has not asserted that there is more than a mere possibility that a significant privacy interest is implicated.

*e. July 13, 2011 C. Muhs Email to D. Aslett re Dash 8 Schedule*

DOS has redacted part of an email between Muhs and Mr. Aslett regarding the Dash 8 Schedule. In the body of the email, Muhs discusses “the updated schedule from Tim” and “a rumor than DoS contracted for three aircraft with Serial numbers in the 300 for support.” Muhs then asks Mr. Aslett whether he “knew anything about it” and asserts that “[t]he company was General?” DOS has redacted the following paragraph and the only remaining portion of the email states: “Say hi to the crew for me.” Given the context of this paragraph and the discussion around it, it is unclear why DOS believes such information would be exempt under (b)(6) as there is nothing in the email suggesting such information falls within Exemption 6’s confines of personnel and medical files and similar files. Moreover, DOS has not articulated any explanation that substantial privacy interest is implicated or, further, that disclosure would jeopardize any such interest to the extent it exists.

*f. July 24, 2011 T. Cannon Email to D. Aslett, D. Cannon re Audit*

DOS has redacted the final email (from Tina Cannon at PHP to Mr. Aslett) in a three-part email chain about a four-day DynCorp audit. Based on this information, it seems unlikely that Ms. Cannon’s email is exempt under (b)(6) as a medical, personnel or similar file.

*g. September 3, 2011 C. Muhs Email to D. Aslett re Are you still out there?*

DOS has redacted almost two of the three emails in the above-referenced email chain in their entirety and claims such portions are exempt under (b)(6) without offering any support for such claim. While much of the information is redacted, the few unredacted portions suggest that the email is not a medical, personnel or similar file. For example, Muhs asks Mr. Aslett what is new and Mr. Aslett explains, among other things, that he has “[s]hipped out 3 CH\_46s out of Melbourne to Afghanistan yesterday.” Mr. Aslett also inquires whether Muhs still is in good standing with TKCA now that he is moving to PHP. Muhs’s response is almost entirely redacted; however, it seems highly unlikely the Muhs’s response contains medical or personnel information, or is similar to the type of information that has qualified as a “similar file” in previous court cases, *i.e.* asylum requests, passport applications, etc. Further, even if such information meets the threshold requirement for Exemption 6, DOS has not articulated a significant privacy interest in such information, or (to the extent such interest exists, which TKCA contends it does not, whether disclosure would jeopardize such an interest).



Department of State  
December 18, 2014  
Page 12

*h. September 3, 2011 C. Muhs Email to D. Aslett re Task Order MD530*

DOS has redacted two of the three emails in the above-listed email chain without providing any explanation why it believes such emails are exempt under (b)(6), let alone constitute personnel, medical or similar files. Indeed, given the email's subject title of "Task Order MD530" as well as unredacted statements such as "TKCA just got a task order for an additional MD 520 aircraft" and "I don't know how it would work. We have to use TKCA...no other contract vehicle we can use[.]" it is difficult to imagine that the redacted portions contain any information applying to a particular individual or for that matter, medical or personnel files, given this context. Once again, even if such information constitutes a medial, personnel or similar file, which is highly unlikely, the Government has failed to articulate any significant privacy interest in such information that would be compromised by the release of the requested information.

*i. October 4, 2011 C. Muhs Email to D. Aslett re Theo at Rheinfall*

This email chain consists of three emails – one of which is essentially redacted in its entirety except for the initials "CTM." The first email in the chain contains no text and simply appears to be the transmission of a picture (presumably Theo at Rheinfall based on the email subject), and the response simply states "Great picture!" Based on this information, TKCA challenges DOS's claim that any information in this chain would be exempt under (b)(6).

*j. March 20, 2012 D. Aslett Email to C. Muhs re AT 802A*

Two emails comprise this chain and DOS had redacted the majority of the originating email. That being said, the subject of the email and the unredacted portions of the emails indicate that DOS's exemption claim is improper. Specifically, the subject is AT 802A, which is presumably a reference to the world's largest single engine aircraft. It is unclear how any discussion regarding this aircraft would fall within the confines of a personnel, medical or similar file let alone implicate a significant privacy interest. The unredacted portions of the email – "Interesting requirement" and "I thought it was over" – further support this conclusion. Accordingly, TKCA objects to DOS's redactions.

*k. June 24, 2013 C. Muhs Email to D. Aslett re Raytheon Contact*

This email chain consists of eight emails – part of which DOS claims as exempt from disclosure under (b)(4), as discussed above, and part of which DOS believes is exempt under (b)(6). Per the email subject, the discussion focuses on Mr. Aslett's original question about whether Muhs had any contacts at Raytheon for a part to a B1900 in Afghanistan. Muhs subsequently forwards contact information, which is not redacted, and later follows up to inquire whether they were able to get the part. Mr. Aslett responds "I believe so" and remarks that "as



Department of State  
December 18, 2014  
Page 13

always[.]” Muhs “saved the day.” Muhs’s response to that email is partially redacted as exempt under (b)(6), but the unredacted portion states: “Anything I can do to help your team, I will. [REDACTED] Have a great evening and we’ll talk soon.” Based on this discussion, it is highly unlikely that the redacted information constitutes a medical, personnel or similar file.

*l. June 26, 2013 C. Muhs Email to D. Aslett re Quotation – 329648 – NEW AOG ORDER INL7P05919*

DOS has redacted part of the last email in an email chain spanning almost four pages. The email’s subject line indicates that the discussion focuses on a new AOG order and, based on its contents, appears to relate to Mr. Aslett’s request for a part in the previously discussed June 24, 2013 email re Raytheon Contact. Toward the end of the email string, Mr. Aslett thanks Muhs for his help and remarks that Muhs “probably regret[s] the day you got to know all of us.” Muhs responds that “[n]othing could be further from the truth” and that he “would choose to support [Mr. Aslett] in anyway possible.” DOS has redacted what appears to be the following paragraph, but has not redacted the final paragraph of the email, which states: “Stay well and if I don’t talked [sic] to you before the fourth have a great Independence Day.” Like many of the aforementioned emails, the nature of the conversation as well as the email subject line do not indicate that such correspondence would include any information exempt under (b)(6), *i.e.* personnel, medical or similar files. Instead, Muhs’s email simply appears to be reflecting on his friendship with Mr. Aslett.

**3. DOS Failed to Produce All “Reasonably Segregable” Portions of the Requested Correspondence**

FOIA requires the government to produce “any reasonably segregable portion of a record...after deletion of the portions which are exempt...”<sup>49</sup> Indeed, the Attorney General has even released a memorandum emphasizing this point.<sup>50</sup> Nevertheless, for several of the emails in the instant case, DOS has redacted entire blocks of an email chain. In such cases, it is difficult to imagine that the entire email is exempt under (b)(4) and/or (b)(6).

Based upon those portions of the emails that DOS did produce, the context of the emails can be deduced, and based upon this context, the redacted information does not appear to be a personnel or medical file and is not representative of the type of “similar file” that the courts have determined are exempt from disclosure under (b)(6). As such, it appears that DOS has improperly failed to conduct the segregability analysis that FOIA requires.

<sup>49</sup> 5 U.S.C. § 552(b).

<sup>50</sup> See Memorandum for Heads of Executive Departments and Agencies, The Freedom of Information Act (Mar. 19, 2009), available at <http://www.justice.gov/sites/default/files/ag/legacy/2009/06/24/foia-memo-march2009.pdf>.



Department of State  
December 18, 2014  
Page 14

#### **4. DOS Failed to Produce All Responsive Documents**

##### *a. DOS Did Not Produce All Emails Between Muhs's TKCA Email and DOS*

As discussed above, TKCA requested all email correspondence between Muhs and DOS from March 25, 2011 to the present. After comparing DOS's production of emails between Muhs and DOS to those emails that are in TKCA's possession, DOS simply failed to produce several responsive emails without any explanation. A list of such email correspondence is attached at Exhibit G.

One of the emails identified in Exhibit G is an April 22, 2011 exchange between Muhs and INL/A's Doug Aslett discussing three Q300 aircraft that were available on the secondary aircraft market at that time.<sup>51</sup> Given that DOS representative Mr. Aslett acknowledged receipt of Muhs's email (Mr. Aslett: "Thanks Chuck, I'll review as part of my market research"), it stands to reason that DOS received and responded to Muhs via email and, thus, that DOS should have produced this email exchange. Further, given that four months after this email exchange, DOS issued a Solicitation seeking acquisition of two Q300 aircraft (also known as Dash 8 aircraft), which resulted in DOS's acquisition of two the three Dash 8 aircraft identified in the April 22, 2011 Muhs/Aslett email exchange, it is reasonable to conclude that Muhs and DOS likely exchanged additional emails regarding Dash 8 aircraft that DOS has failed to produce. As noted in Exhibit G, a large number of the emails that DOS failed to produce in response to this FOIA request deal with the DOS Dash 8 program. TKCA respectfully requests that the Panel direct DOS to search and find all responsive correspondence, including all emails between Muhs and DOS related to Dash 8 aircraft, and DOS's acquisition of those aircraft via contract award in September 2011.

##### *b. DOS Did Not Produce Any Email Attachments*

After submission of the September 2013 FOIA request, TKCA agreed to limit the initial scope of the FOIA production to exclude attachments in an effort to expedite the production of the eighty-four documents produced in November 2014. Many of the emails that DOS produced indicate that they have attachments. Now that these 84 emails have been identified, TKCA requests that the Panel direct DOS to produce all attachments and, to the extent that any redactions are necessary, require DOS provide a statement explaining the reason for any such redactions as FOIA requires.

---

<sup>51</sup> See Exhibit H.



Department of State  
December 18, 2014  
Page 15

*c. DOS Did Not Produce Any Emails from Muhs's Knowledge International Email Address or internal DOS emails mentioning "Muhs".*


Finally, as previously mentioned, TKCA's FOIA request listed five known email addresses that Muhs may have used in his correspondence with DOS, including Muhs's Knowledge International email address ([cmuhs@knowledgeintl.com](mailto:cmuhs@knowledgeintl.com)). TKCA is aware that Muhs used this email address after March 2011, and it is likely that he used this email address to correspond with DOS due to documents produced in the ongoing litigation involving Muhs and Phoenix Heliparts. Without explanation, DOS has not produced any emails that Muhs sent or received using this account. DOS also has not indicated such documents have been withheld pursuant to any privilege or exemption and, thus, TKCA requests that DOS produce this correspondence to TKCA per its original FOIA request.

Similarly, despite TKCA's request for all internal DOS communications generated after March 25, 2011 that mention "Muhs", DOS's FOIA production failed to include any internal DOS INL/A communications that mention "Muhs". Given the pervasive amount of communications between INL/A and Muhs during this time frame, it appears that there should be additional communications within INL/A that refer to "Muhs". As a result, TKCA respectfully requests that this Panel direct DOS to search for and produce all such communications.

**III. CONCLUSION**

Pursuant to FOIA's regulations, TKCA respectfully requests a response to this appeal within 20 working days directing DOS to promptly produce all information that DOS wrongfully withheld. If you have any questions, please do not hesitate to contact me directly at (703) 905-1459.

Respectfully,

  
for Douglas C. Proxmire

*Counsel for TKCA*





Department of State  
December 18, 2014  
Page 16

**LIST OF EXHIBITS**

<b>Exhibit</b>	<b>Date</b>	<b>Description</b>
A	9/24/13	TKCA's FOIA Request
B	11/2014	Correspondence between C. Lahiguera and D. Proxmire
C	11/12/14	FOIA Response Letter from J. Hackett to D. Proxmire
D	10/14/11	Preliminary Injunction
E	3/22/13	Order Denying Motion to Continue Preliminary Injunction
F	9/29/14	D. Proxmire Email to C. Ellis re FOIA request F-2013-16333
G		Spreadsheet of DOS/Muhs Email Correspondence
H	4/22/11	D. Aslett Email to C. Muhs re ( ) Q300 Specs

# **FOIA APPEAL – CASE NO. F-2013-16333**

## **EXHIBIT A**

**From:** State Department FOIA [<mailto:noreply@state.gov>]  
**Sent:** Tuesday, September 24, 2013 12:03 PM  
**To:** Proxmire, Douglas  
**Subject:** FOIA Request Letter

Thank you for filing your FOIA request online on 9/24/2013. Here is a review of your request.

The records I request can be described as follows:

1. All email communications between any representative of Department of State's Office of Aviation (specifcially, the Bureau of International Narcotics and Law Enforcement Affairs' Office of Aviation referred to as "INL/A", also known as the INL Air Wing) and Charles Taylor Muhs (also known as Chuck Muhs). This includes email communications involving INL/A which were sent to, received from or ccing Chuck Muhs. The time period for the requested email records is March 25, 2011 to present. The email addresses that Charles Taylor Muhs is known to have used during the time period are:

[-chuck.muhs@tkca.com](mailto:-chuck.muhs@tkca.com)

[-cmuhs@knowledgeintl.com](mailto:-cmuhs@knowledgeintl.com)

[-ctmuhs@msn.com](mailto:-ctmuhs@msn.com)

[-chuck@phoenixheliparts.com](mailto:-chuck@phoenixheliparts.com)

[-ctmuhs@me.com](mailto:-ctmuhs@me.com)

2. All internal INL/A communications, including emails, that include the term/name "Muhs" from March 25, 2011 through the present.

The time period of my request is from 03/25/2011 to present

I am affiliated with a private corporation and seeking information for use in the company's business.

I am willing to pay \$250.00 for my request.

My additional comments are as follows:

Should DoS have any questions about this FOIA request, please do not hesitate to contact us.

#### Contact Information

Mr. Douglas C Proxmire

2550 M Street, NW

Washington, District of Columbia 20037

P: 202-457-6464

F: 202-457-6315

[dproxmire@pattonboggs.com](mailto:dproxmire@pattonboggs.com)

DISCLAIMER: This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy, or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (202) 457-6000 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Thank you. This e-mail and all other electronic (including voice) communications from the sender's firm are for informational purposes only. No such communication is intended by the sender to constitute either an electronic record or an electronic signature, or to constitute any agreement by the sender to conduct a transaction by electronic means. Any such intention or agreement is hereby expressly disclaimed unless otherwise specifically indicated. To learn more about our firm, please visit our website at <http://www.pattonboggs.com>.

# **FOIA APPEAL – CASE NO. F-2013-16333**

## **EXHIBIT B**

---

**From:** Lahiguera, Charles E <LahigueraCE@state.gov>  
**Sent:** Monday, November 24, 2014 12:52 PM  
**To:** Proxmire, Douglas C.  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Dear Mr. Proxmire,

Thank you for your comments on the subject case. Please be advised that my authority in this matter is limited to reviewing those documents presented to me for review. None of the emails reviewed had attachments included. If you wish to appeal the denial of any material or if you wish to appeal the adequacy of search, please file your appeal with the address provided in the FOIA response letter. Charles Lahiguera

---

**From:** Proxmire, Douglas C. [mailto:DCProxmire@Venable.com]  
**Sent:** Monday, November 24, 2014 11:48 AM  
**To:** Lahiguera, Charles E  
**Cc:** Ellis, Clarke N; Buehler, Elizabeth A.  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Charles,

We have reviewed the Department of State's (DoS) response to FOIA request F-2013-16333 and have the following questions:

- During the identified time from (starting in March 2011), DoS failed to produce any emails sent to and from Mr. Muhs using his Knowledge International email address ( [cmuhs@knowledgeintl.com](mailto:cmuhs@knowledgeintl.com) ). We know that Mr. Muhs used this email in some of his communications with DoS due to documents produced in the on-going litigation involving Mr. Muhs and PHP. Please produce all such emails or advise why DoS failed to produce any emails exchanged between DoS representatives and Muhs using his Knowledge International email address.
- In addition, we know of several emails that DoS failed to produce when Mr. Muhs used his TKCA email account to communicate with DoS. An example is attached. Many of these emails involve a Dash 8 aircraft designated as MSN 560. We ask that DoS produce all such email exchanges that reference MSN 560 or any other Muhs/DoS email exchanges that DoS failed to produce or identify the basis for withholding.
- In your November 12, 2014 FOIA response letter, DoS advises that "one document" was withheld based upon exemption b(4). We understand that DoS is claiming an exemption, but we are still entitled to know the following details that would not be covered by this exemption: a) the date of the email(s) withheld, b) the to/from/cc information; c) the subject line, d) any other information contained in the email that is not covered by the exemption.
- Many of the emails that DoS produced appear to contain attachments, but DoS redacted the name of the attached files. As a result, please: a) advise whether DoS redacted the name of attached files in the emails produced; b) if it did redact the name of the attached files, please reconsider that redaction and produce the name of the attached file or identify the exemption that DoS relied on to redact the name of the attached file.

We submit this request for additional information to avoid or to reduce the scope of an appeal from the DoS FOIA production. We look forward to your response. Please confirm receipt of this email.

**Douglas C. Proxmire, Esq. | Venable LLP**

† 703.905.1459 | f 703.821.8949 | m 571.235.6756

8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Lahiguera, Charles E [<mailto:LahigueraCE@state.gov>]

**Sent:** Thursday, November 13, 2014 2:06 PM

**To:** Proxmire, Douglas C.

**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

**Importance:** High

Happy to report that your documents were sent to our mailroom today addressed to the address you provided below.

Charles Lahiguera

---

**From:** Proxmire, Douglas C. [<mailto:DCProxmire@Venable.com>]

**Sent:** Monday, November 10, 2014 12:27 PM

**To:** Lahiguera, Charles E

**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Thanks.

Will they be sent electronically or via hard copy?

If via hard copy, what address will they be sent to?

I would prefer that they be sent to the address below rather than my DC address.

**Douglas C. Proxmire, Esq. | Venable LLP**

† 703.905.1459 | f 703.821.8949 | m 571.235.6756

8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Lahiguera, Charles E [<mailto:LahigueraCE@state.gov>]

**Sent:** Monday, November 10, 2014 11:49 AM

**To:** Proxmire, Douglas C.

**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Proxmire,

You will be receiving 66 documents released in full and 17 released in part.

Charles Lahiguera

---

**From:** Proxmire, Douglas C. [<mailto:DCProxmire@Venable.com>]

**Sent:** Monday, November 10, 2014 11:29 AM

**To:** Lahiguera, Charles E  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Lahiguera,

Thanks for your email.

Do you have a rough estimate of the amount of documents that you expect to be produced?

**Douglas C. Proxmire, Esq. | Venable LLP**  
t 703.905.1459 | f 703.821.8949 | m 571.235.6756  
8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Lahiguera, Charles E [<mailto:LahigueraCE@state.gov>]  
**Sent:** Monday, November 10, 2014 10:07 AM  
**To:** Proxmire, Douglas C.  
**Subject:** Freedom of Information Act (FOIA) request F-2013-16333

**Dear Mr. Proxmire,**  
**I have just completed the Senior Review of your case and turned it over for out-processing. I have requested that the documents be printed and sent to you as quickly as possible.**

**Sincerely,**

**Charles Lahiguera**  
**Senior Reviewer**

**From:** Proxmire, Douglas C. [<mailto:DCProxmire@Venable.com>]  
**Sent:** Friday, November 07, 2014 2:13 PM  
**To:** Ellis, Clarke N  
**Subject:** Freedom of Information Act (FOIA) request F-2013-16333

Clarke,

What is the status of the above-referenced FOIA request?

We were previously told to expect an October 2014 production. It's now November.

We have worked with you to reduce the scope of the request with the promise that this would accelerate production. Even so, we have received no documents.

Please advise. Thanks!

**Douglas C. Proxmire, Esq. | Venable LLP**  
t 703.905.1459 | f 703.821.8949 | m 571.235.6756  
8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

\*\*\*\*\*

This electronic mail transmission may contain confidential or privileged information. If



you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

\*\*\*\*\*  
\*\*\*\*\*

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

\*\*\*\*\*  
\*\*\*\*\*

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

\*\*\*\*\*

\*\*\*\*\*

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

\*\*\*\*\*

# **FOIA APPEAL – CASE NO. F-2013-16333**

## **EXHIBIT C**



**United States Department of State**

*Washington, D.C. 20520*

NOV 12 2014

Case No. F-2013-16333

Segment: INL1

Douglas C Proxmire, Esq.  
8010 Towers Crescent Drive  
Suite 300  
Tysons Corner, VA 22182

Dear Mr. Proxmire:

In response to your request dated September 24, 2013 under the Freedom of Information Act (Title 5 USC Section 552), we have initiated a search of the following Department of State record system: the Bureau of International Narcotics and Law Enforcement Affairs (INL).

The search of the records of the Bureau of International Narcotics and Law Enforcement Affairs has been completed and has resulted in the retrieval of 84 documents responsive to your request. After reviewing these documents, we have determined that 66 may be released in full, 17 may be released with excisions, and one must be withheld in full. All released material is enclosed.

An enclosure explains Freedom of Information Act exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. For the one document withheld in full, we have cited exemption (b)(4).

In some cases, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from the exempt material has been released.

You have the right to appeal our determination by writing, within 60 days, to the Chairman, Appeals Review Panel, c/o Appeals Officer, A/GIS/IPS/PP/LA,

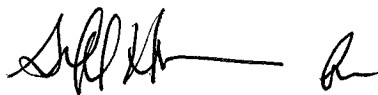
- 2 -

U.S. Department of State, SA-2, Room 8100, Washington, D.C. 20522-8100. The appeal letter should refer to the case number shown above, clearly identify the decision being appealed, and provide supporting arguments when possible. For further information, see the Code of Federal Regulations, 22 CFR 171.52.

The Freedom of Information Act provides for the recovery of the direct costs of searching for, reviewing, and duplicating records requested for commercial use. Total fees due are \$1,465.00, representing: six hours of executive search time @ 76.00 per hour (\$456.00); 13 hours of executive review time @ \$76.00 per hour (\$988.00); and 140 pages duplicated @ \$0.15 per page (\$21.00). Please make your check or money order payable to the Treasurer of the United States, and mail it to the Office of Information Programs and Services, Room 8100, SA-2, Department of State, Washington, D.C. 20522-8100. Please be sure to write the case number on your check or money order.

We have now completed the processing of your case. If you have any questions, you may write to the Office of Information Programs and Services, SA-2, Department of State, Washington, DC 20522-8100, or telephone us at (202) 261-8484. Please be sure to refer to the case number shown above in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Hackett", followed by a horizontal line and a small flourish.

John F. Hackett, Acting Director  
Office of Information Programs and Services

Enclosures:  
As stated.

# **FOIA APPEAL – CASE NO. F-2013-16333**

## **EXHIBIT D**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

TKC AEROSPACE, INC.,

Plaintiff,

v.

CHARLES TAYLOR MUHS,

Defendant.

**3:11-cv-00189-HRH**

**PRELIMINARY INJUNCTION**

THIS MATTER having been brought to the Court by Plaintiff TKC Aerospace, Inc. (“TKCA”), through its attorneys, Patton Boggs LLP, on its application for a preliminary injunction against Defendant Charles Taylor Muhs (“Muhs”); the Court having considered the respective papers submitted by the parties; and for good cause shown; hereby orders as follows:

- (1) TKCA’s application for preliminary injunction has been granted (see Order (Oct. 7, 2011), Docket No. 37);
- (2) Muhs is prohibited from the following:
  - (a) Participating on behalf of any entity other than TKCA in the Department of State procurement known as Dash 8-315 Fixed Wing Aircraft (“Dash 8 Aircraft”) Solicitation Number: SAQMMAllR0325 (“Dash 8 Solicitation”);

- (b) Assisting Phoenix Heliparts, Inc. (“PHP”) in any way or manner in modifying the Dash 8 Aircraft. This includes, but is not limited to, a prohibition against participating in or assisting in any way with:
  - (i) equipment integration modifications;
  - (ii) structural equipment modifications;
  - (iii) any of the coordination and procurement activities with PHP vendors, subcontractors or suppliers;
  - (iv) Dash 8 Aircraft inspection and maintenance requirements;
  - (v) Dash 8 Aircraft ferrying or delivery requirements; or
  - (vi) the transfer of Dash 8 technical data and manuals.
- (c) Performing executive, managerial, financial, supervisory, or consulting services for TKCA competitor PHP, or any other “competitor” of TKCA as that term is defined in paragraph 8(iii) of defendant’s employment contract with plaintiff, for a period ending March 31, 2012;
- (d) Utilizing any and all TKCA property in his possession, including but not limited to computer hardware/software, credit cards, cell phones, Trade Secrets, Confidential or Proprietary Information or other works, as defined by paragraph 6.4 of Muhs’s Executive Employment Agreement with TKCA;
- (e) Directly or indirectly, at any time, (i) disclosing to any third party or entity any trade secrets or other proprietary or confidential

information as defined by paragraph 6.4 of his Executive Employment Agreement, or using any such secrets or information without the prior written consent of TKCA's Corporate Counsel; or  
(ii) violating Section 8 of his Executive Employment Agreement;  
and

(f) Obtaining any revenue he may otherwise receive as a result of PHP or any other entity's involvement with the Dash 8 Solicitation.

(3) This preliminary injunction shall not become operative until a bond for costs and damages in the amount of \$5,000 in a form that is acceptable to this Court is filed and approved.

**IT IS SO ORDERED.**

Dated: October 14, 2011

/s/ H. Russel Holland  
United States District Judge



**Webber, Maribel**

---

**From:** cmecfmail@akd.uscourts.gov  
**Sent:** Friday, October 14, 2011 2:40 PM  
**To:** cmecfmail@akd.uscourts.gov  
**Subject:** Activity in Case 3:11-cv-00189-HRH TKC Aerospace, Inc. v. Muhs Preliminary Injunction

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**U.S. District Court**

**District of Alaska**

**Notice of Electronic Filing**

The following transaction was entered on 10/14/2011 at 2:39 PM ADT and filed on 10/14/2011

**Case Name:** TKC Aerospace, Inc. v. Muhs

**Case Number:** [3:11-cv-00189-HRH](#)

**Filer:**

**Document Number:** [43](#)

**Docket Text:**

**PRELIMINARY INJUNCTION. Signed by Judge H. Russel Holland on 10/14/11. (PRR, COURT STAFF)**

**3:11-cv-00189-HRH Notice has been electronically mailed to:**

Douglas B. Mishkin dmishkin@pattonboggs.com

Douglas C. Proxmire dproxmire@pattonboggs.com

Michael D. White mwhite@pattonboggs.com, atardugno@pattonboggs.com, dnewsome@alaska.net, mbrown@pattonboggs.com, mwebber@pattonboggs.com, pattonboggs@alaska.net, tclemens@pattonboggs.com

Susan Orlansky orlansky@frozenlaw.com, crowe@frozenlaw.com, summers@frozenlaw.com

Victoria Anne Kummer kummerv@dicksteinshapiro.com, BarliaN@dicksteinshapiro.com, NYLitigationDocketing@dicksteinshapiro.com, schere@dicksteinshapiro.com, topicc@dicksteinshapiro.com

10/14/2011

**3:11-cv-00189-HRH Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1105331613 [Date=10/14/2011] [FileNumber=897555-0  
][88cd10469433dab018ec2666f9eb77a34daab960257d7c82187c2358e4b05e70780  
826b0beea9a2b757b744eb4e6dd9ac04215df3435ba6789515f62d0da002]]

# **FOIA APPEAL – CASE NO. F-2013-16333**

## **EXHIBIT E**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

TKC AEROSPACE, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
CHARLES TAYLOR MUHS,	)	
	)	No. 3:11-CV-0189-HRH
Defendant.	)	
_____	)	

O R D E R

Motion to Continue Preliminary Injunction

Plaintiff moves to continue paragraph 2(c) of the court's October 14, 2011 preliminary injunction until both this case and the related Arizona litigation are resolved.<sup>1</sup> This motion is opposed.<sup>2</sup> Oral argument was not requested and is not deemed necessary.

Background

Plaintiff TKC Aerospace, Inc. moved for a preliminary injunction against defendant Charles Taylor Muhs on September 26, 2011.<sup>3</sup> The court granted plaintiff's motion for a preliminary

---

<sup>1</sup>Docket No. 201.

<sup>2</sup>Docket No. 209.

<sup>3</sup>Docket No. 4.

injunction,<sup>4</sup> and the preliminary injunction was entered on October 14, 2011.<sup>5</sup> Paragraph 2(c) of the preliminary injunction, which is the subject of the instant motion, provided:

(2) Muhs is prohibited from the following:

....

(c) Performing executive, managerial, financial, supervisory, or consulting services for TKCA competitor PHP, or any other "competitor" of TKCA as defined in paragraph 8(iii) of defendant's employment contract with plaintiff, for a period ending March 31, 2012[.<sup>6</sup>]

The March 31, 2012 end date was based on the six-month non-compete clause in defendant's employment agreement with plaintiff.<sup>7</sup>

The March 31, 2012 end date was first extended to April 30, 2012,<sup>8</sup> and then further extended to June 10, 2012.<sup>9</sup> On June 22, 2012, the court amended paragraph 2(c) of the preliminary injunction

---

<sup>4</sup>Order re Motion for Expedited Consideration [and] Preliminary Injunction, Docket No. 37.

<sup>5</sup>Docket No. 43.

<sup>6</sup>Id. at 1-2.

<sup>7</sup>Order re Motion for Preliminary Injunction at 1, Docket No. 42.

<sup>8</sup>Order re Motion for Stay [and] Motion for Extension of Time at 6, Docket No. 76.

<sup>9</sup>Stipulation at 2, ¶ 7, Docket No. 83.

to delete the phrase "or any other 'competitor' of TKCA."<sup>10</sup> However, plaintiff argued that paragraph 2(c) should be extended as to PHP because 1) it had evidence that defendant had violated his employment agreement and the Alaska Trade Secrets Act, 2) PHP had employed data-erasure devices on its computers, and 3) the Department of State had modified its solicitation to include delivery of a second Dash 8.<sup>11</sup> The court stated that, in its view, "it would ... be the height of bad judgment for defendant to have anything to do with PHP pending the resolution of both this case and the Arizona litigation" and it urged the parties to reach an agreement as to whether paragraph 2(c) should be extended as to PHP.<sup>12</sup>

On July 3, 2012, based on the parties' agreement, the court extended paragraph 2(c) as to PHP until twenty-one days after the court's decision on the parties' cross-motions for summary judgment.<sup>13</sup> The order on the cross-motions for summary judgment was entered on January 17, 2013.<sup>14</sup> On February 5, 2013, the court extended paragraph 2(c) to the earlier of April 1, 2013 or the

---

<sup>10</sup>Order re Preliminary Injunction at 6, Docket No. 170.

<sup>11</sup>Id. at 3.

<sup>12</sup>Id. at 5-6.

<sup>13</sup>Order re Preliminary Injunction as to PHP at 2, Docket No. 173.

<sup>14</sup>Docket No. 195.

court's ruling on the instant motion.<sup>15</sup> Plaintiff now moves to extend paragraph 2(c) as amended until both this case and the Arizona litigation are resolved.

Discussion

Plaintiff first argues that an extension of paragraph 2(c) is warranted because of two recent admissions by defendant during testimony in the Arizona litigation. Plaintiff contends that these admissions demonstrate that it would continue to be the "height of bad judgment for defendant to have anything to do with PHP pending the resolution of both this and the Arizona litigation."<sup>16</sup> During his January 14, 2013 testimony, defendant testified that it was wrong for him to email plaintiff's Dash 8 Statement of Work to PHP because "it was TKCA's document."<sup>17</sup> Defendant also testified that he inserted a Gant chart, which is a resource allocation chart, into PHP's Dash 8 proposal.<sup>18</sup> Defendant testified that this was a "secretarial function" and that he did not "generate the Gant chart. I didn't ... put the data in."<sup>19</sup> Plaintiff argues that these admissions by defendant are hard evidence that he violated his

---

<sup>15</sup>Docket No. 200.

<sup>16</sup>Order re Preliminary Injunction at 5, Docket No. 170.

<sup>17</sup>Muhs Arizona Trial Testimony at 117, ln. 20 - 118, ln. 18, Exhibit 13, Plaintiff TKC Aerospace, Inc.'s Motion to Continue Preliminary Injunction, Docket No. 201.

<sup>18</sup>Id. at 145, ln. 5 - 146, ln. 7.

<sup>19</sup>Id. at 146, lns. 8-10.

employment agreement<sup>20</sup> and thus he should continued to be enjoined from collaborating with PHP.<sup>21</sup> Plaintiff insists that it is necessary to extend paragraph 2(c) to keep defendant from working for PHP in any capacity in order to prevent defendant from violating the five, non-time-restricted provisions of the preliminary injunction. Plaintiff seems to be arguing that because defendant violated his employment agreement prior to the preliminary injunction being in place, there is every reason to believe that he would do so again if he were allowed to work with or for PHP in any capacity. In particular, plaintiff suggests that restricting defendant from working with or for PHP is necessary in order to keep defendant from disclosing plaintiff's trade secrets, even though paragraph 2(e) of the preliminary injunction, which has no time limit, expressly restrains defendant from such disclosure.<sup>22</sup>

Courts have extended the period of a restrictive covenant past its expiration date if the employee violated his employment contract

---

<sup>20</sup>In its reply brief, plaintiff also submits an exhibit which it contends shows that defendant was working on PHP's proposal on September 7, 2011, which was two days before PHP submitted its Dash 8 proposal to the Department of State. SEALED Exhibit 24, TKC Aerospace, Inc.'s Notice [etc.], Docket No. 225.

<sup>21</sup>There is no evidence that defendant ever "worked" for PHP in that he ever received compensation from PHP, and defendant stated in his opposition to the instant motion that he "has no current plans to work for PHP." Memorandum of Law in Opposition to Plaintiff's Motion to Continue Preliminary Injunction at 4, n.2, Docket No. 209.

<sup>22</sup>Preliminary Injunction at 2-3, Docket No. 43.



and if an extension was necessary to provide the employer with the bargained-for benefit of a competition-free period. See Amer. Eutectic Welding Alloys Sales Co. v. Rodriguez, 480 F.2d 223, 229 (1st Cir. 1973) (remanding for determination of whether injunction should be extended to provide the plaintiff with the full two-year contractual period, primarily because of substantial delay by lower court in deciding preliminary injunction motion); Premier Indus. Corp. v. Texas Indus. Fastener Co., 450 F.2d 444, 448 (5th Cir. 1971) (directing lower court to extend injunction for the one year the case was on appeal because “[i]t would be pointless to affirm the court below, only to have that court’s relief terminate in January, 1972, a few months hence”); Presto-X-Co. v. Ewing, 442 N.W.2d 85, 90 (Iowa 1989) (extending contractual restraint period by one year in large part because “it would be unfair for [the defendant] to benefit from the normal delays of the judicial process”); Roanoke Engineering Sales Co. v. Rosenbaum, 290 S.E.2d 882, 887 (Va. 1982) (extending contractual restraint period because of delays inherent in litigation). Here, the parties bargained for a six-month competition-free period, which the court determined began on September 30, 2011.<sup>23</sup> Plaintiff has received that six months it bargained for and more. Although defendant may have breached his employment contract prior to September 30, 2011,

---

<sup>23</sup>Order re Motion for Preliminary Injunction at 2, Docket No. 42.

plaintiff has presented no evidence that defendant was working for or collaborating with PHP after September 30, 2011. And, contrary to plaintiff's contentions otherwise, an extension of paragraph 2(c) of the preliminary injunction is not necessary to prevent defendant from violating the non-time restricted provisions of the preliminary injunction.

An extension of paragraph 2(c) is also not warranted because of defendant's alleged violations of his discovery obligations in the Arizona litigation. An evidentiary hearing on the alleged discovery violations was commenced in February 2013 by the Arizona court and has been continued until June 2013. According to plaintiff, the issues to be addressed at this hearing are 1) defendant's apparent backdating of critical documents, 2) defendant's and PHP's failures to produce electronic storage devices, and 3) PHP's scrubbing of its server and the laptops of the Cannons. Plaintiff contends that all of these issues pertain directly to defendant's liability in this case. Plaintiff also contends that the Arizona case and possibly this case would have been over by now but for defendant's and PHP's discovery violations and destruction of evidence.

The alleged discovery violations have nothing to do with the extension of paragraph 2(c). Allowing paragraph 2(c) to expire will not reward defendant for any alleged misconduct in the Arizona litigation. But, extending paragraph 2(c) will give plaintiff much

more than it bargained for. Plaintiff bargained for a six-month competition-free period, which it has received. While it would continue to be bad judgment for defendant to have anything to do with PHP while this case and the Arizona litigation remain pending, the court is unconvinced that there is any basis for extending paragraph 2(c). There being no persuasive reason for extending paragraph 2(c) of the preliminary injunction, the questions of the burden on defendant and plaintiff's unclean hands need not be reached.

Conclusion

Plaintiff's motion<sup>24</sup> to continue paragraph 2(c) of the preliminary injunction is denied. The non-time restricted provisions of the preliminary injunction remain in effect.

DATED at Anchorage, Alaska, this 22nd day of March 2013.

/s/ H. Russel Holland  
United States District Judge

---

<sup>24</sup>Docket No. 201.

# **FOIA APPEAL— CASE NO. F-2013-16333**

## **EXHIBIT F**

---

**From:** Proxmire, Douglas C.  
**Sent:** Monday, September 29, 2014 5:44 PM  
**To:** 'Ellis, Clarke N'  
**Cc:** 'Scholl, Patrick D'; 'Reid, Rosemary D'; 'Hermesman, Geoffrey F'; 'Hall, Kevin'; 'Tyler, Eva O'; 'Murphy, Nicholas M'  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333  
**Attachments:** Preliminary Injunction - Docket 43.pdf; Order Denying Mtn to Continue.pdf

Mr. Ellis,

Thank you for your email.

We understand that the Department of State is obligated to abide by Executive Order 12600 of 1988 when it responds to this FOIA request. We simply ask that in reviewing the proposed "confidential commercial" redactions proposed by Muhs that such redactions are limited to information that properly falls under that exemption.

As an FYI, Muhs worked for TKCA until September 30, 2011. Further, in October 2011 (see attached District Court order), the United States District Court of Alaska enjoined Muhs from performing any work on any program that would be competitive with TKCA, which would include any DoS aviation program, up through March 31, 2012. Muhs stipulated to extend this injunction until June 10, 2012. On June 22, 2012, the Court extended the injunction preventing Muhs from working on Phoenix Heliparts Inc.'s (PHP) behalf until March 22, 2013 (see attached March 22, 2013 order from the Court summarizing the restrictions on Mr. Muhs' ability to compete with TKCA on pp. 1-4 and 8).

As a result of these court orders, Muhs cannot legally claim that he communicated any confidential commercial information to DoS, other than TKCA confidential information, until June 10, 2012, and he can't claim that he communicated any PHP commercially competitive information until March 22, 2013. We hope this information is helpful in sorting through information which Mr. Muhs claims falls under exemption (b)(4).

Finally, given the length of time that it has taken DoS to respond to this FOIA request, we respectfully request that the Department of State agrees to a rolling production in response to the pending FOIA request. Specifically, we ask that DoS moves forward with promptly producing the emails which could not fall into the exemption (b)(4) category, and then follows up that initial production with the potential exemption(b)(4) emails, if any, after DoS has given Muhs the opportunity to assert the applicable exemption.

Your time and attention to this matter is greatly appreciated.

**Douglas C. Proxmire, Esq. | Venable LLP**  
t 703.905.1459 | f 703.821.8949 | m 571.235.6756  
8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Ellis, Clarke N [mailto:EllisCN@state.gov]  
**Sent:** Monday, September 29, 2014 3:32 PM  
**To:** Proxmire, Douglas C.  
**Cc:** Scholl, Patrick D; Reid, Rosemary D; Hermesman, Geoffrey F; Hall, Kevin; Tyler, Eva O; Murphy, Nicholas M  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Proxmire:

With regard to the second bullet, you are correct that you did not agree to the excision of emails from third parties that are contained in email chains that have emails between INL/A and Mr. Muhs. If you do not agree that we can consider such material as “non-responsive”, that is fine. However, since we do not know the relationship between these third parties and TKCA, we would normally excise such confidential business information under FOIA exemption (b)(4) unless the third party agreed to its release. The same would apply to emails containing potentially confidential commercial information between Mr. Muhs and INL/A subsequent to his departure from TKCA. We will attempt to contact Mr. Muhs and consistent with the requirements of Executive Order 12600 of 1988, provide him with an opportunity to indicate whether or not he requests the excision of any such material under FOIA exemption (b)(4).

Sincerely,

Clarke N. Ellis  
Senior Reviewer  
A/GIS/IPS/CR/WEP  
[elliscn@state.gov](mailto:elliscn@state.gov)

This email is UNCLASSIFIED.

---

**From:** Proxmire, Douglas C. [<mailto:DCProxmire@Venable.com>]  
**Sent:** Thursday, September 25, 2014 4:54 PM  
**To:** Ellis, Clarke N  
**Cc:** Scholl, Patrick D; Reid, Rosemary D; Hermesman, Geoffrey F; Hall, Kevin; Tyler, Eva O  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Clarke,

Responding to your email:

- I agree to the narrowing of the FOIA request to not include attachments to the requested email communications. As previously agreed, I accepted the DoS “narrowing “ request with the understanding that upon the production of the emails in response to this FOIA request, we may subsequently request that DoS supplement the FOIA response to include certain email attachments.
- I do not believe that I agreed to allow DoS to excise “non-responsive” emails. For example, if a Muhs/DoS email exchange was shared internally or externally by DoS, the email chain would be responsive to the this FOIA request and should be produced (absent the application of an FOIA exemption). If I am misunderstanding DoS’s use of the term “non-responsive”, please advise.
- As requested, attached please find a letter from TKC Aerospace allowing the release of TKCA commercial confidential in response to this FOIA request (please note that this limited waiver of TKCA’s commercial confidential information only pertains to the DoS response to the instant FOIA request, and TKCA does not agree to the release of any commercial confidential information to any other party in response to a FOIA request, including any FOIA request seeking production of the documents provided in response to this FOIA request).
- To the extent that DoS does claim an exemption with respect to any responsive document or with respect to part of a responsive document, we respectfully request that DoS advise of the exemption asserted and the rationale for applying that exemption.

Please do not hesitate to contact me with any questions.

Very truly yours,

**Douglas C. Proxmire, Esq. | Venable LLP**  
t 703.905.1459 | f 703.821.8949 | m 571.235.6756  
8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Ellis, Clarke N [<mailto:EllisCN@state.gov>]  
**Sent:** Thursday, September 25, 2014 1:13 PM  
**To:** Proxmire, Douglas C.  
**Cc:** Scholl, Patrick D; Reid, Rosemary D; Hermesman, Geoffrey F; Hall, Kevin; Tyler, Eva O  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Proxmire – I acknowledge receipt of your email. In addition to your agreement with regard to costs, do you still agree to the other points included in my email to Mr. Nardotti of September 25, namely the narrowing of your request, as you agreed to in your email of March 13, 2014, and allowing us to excise as “Non-responsive” messages in email chains that do contain responsive messages. Finally, if your client is a corporation and a person authorized to speak for the corporation provides us with a signed waiver and authorization for you to act on their behalf, we could release material in this case submitted by the company that would otherwise most likely be excised under FOIA exemption (b)(4) – commercial confidentiality. Please advise.

Clarke N. Ellis  
Senior Reviewer  
A/GIS/IPS/CR/WEP  
[elliscn@state.gov](mailto:elliscn@state.gov)

This email is UNCLASSIFIED.

---

**From:** Proxmire, Douglas C. [<mailto:DCProxmire@Venable.com>]  
**Sent:** Thursday, September 25, 2014 12:07 PM  
**To:** Ellis, Clarke N; [michael.nardotti@squirepb.com](mailto:michael.nardotti@squirepb.com)  
**Cc:** Scholl, Patrick D; Reid, Rosemary D; Hermesman, Geoffrey F; Hall, Kevin; Tyler, Eva O  
**Subject:** RE: Freedom of Information Act (FOIA) request F-2013-16333

Mr. Clarke,

As requested, I send this email to confirm that I remain the requestor for the above-referenced FOIA request despite my change in law firms from Squire Patton Boggs LLP (formerly Patton Boggs LLP) to Venable LLP. All responses/questions regarding the above-referenced FOIA request and the records produced in response to this FOIA request should be directed to me (my new contact information is set forth below).

In addition, I agree in advance to pay the cost of any production in response to the FOIA request up to \$0500 (to the extent the anticipated production cost exceeds \$2500, please advise).

Finally, I have copied the managing partner, Michael Nardotti, of the Squire Patton Boggs' DC office to confirm that Squire Patton Boggs LLP concurs that the pending request was transferred upon my change from Squire Patton Boggs LLP to Venable LLP.

Please confirm DoS's receipt of this message.

Thank you,

**Douglas C. Proxmire, Esq. | Venable LLP**  
t 703.905.1459 | f 703.821.8949 | m 571.235.6756  
8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182

[DCProxmire@Venable.com](mailto:DCProxmire@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Ellis, Clarke N [<mailto:EllisCN@state.gov>]  
**Sent:** Thursday, September 25, 2014 11:56 AM  
**To:** [michael.nardotti@squirepb.com](mailto:michael.nardotti@squirepb.com)  
**Cc:** Proxmire, Douglas C.; Scholl, Patrick D; Reid, Rosemary D; Hermesman, Geoffrey F; Hall, Kevin; Tyler, Eva O  
**Subject:** Freedom of Information Act (FOIA) request F-2013-16333  
**Importance:** High

Michael Nardotti, Esquire  
Managing Partner  
Squire Patton Boggs

Dear Mr. Nardotti:

On September 24, 2013, Mr. Douglas Proxmire, then with Squire Patton Boggs, filed a request for information under the Freedom of Information Act. I discussed the case with Mr. Proxmire on several occasions. On March 13, 2014 Mr. Proxmire agreed to narrow somewhat the scope of the request and to pay up to \$2000 to process the case. On September 22, 2014 I sent a further email to Mr. Proxmire to inquire whether he would agree that we could mark as "Non-responsive" emails in email chains that did have responsive material. To this email, I received the automated response that Mr. Proxmire is no longer with Squire Patton Boggs.

Please advise whether this FOIA request is a client-related matter for which Squire Patton Boggs remains responsible. If so, please indicate a new point of contact as well as your agreement to (1) pay up to \$2000, (2) maintain the narrowed scope of the request and (3) allow us to mark as "Non-responsive" messages in responsive email chains that do not pertain to your request.

If this FOIA request is not a client-related matter for which Squire Patton Boggs remains responsible, we would appreciate it if Mr. Proxmire, who is copied on this message, would indicate whether he is now responsible for the request and whether he agrees to the above terms for processing it.

I would be grateful for a prompt response. Thank you for your assistance.

Clarke N. Ellis  
Senior Reviewer  
A/GIS/IPS/CR/WEP  
[elliscn@state.gov](mailto:elliscn@state.gov)



This email is UNCLASSIFIED.

\*\*\*\*\*  
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.  
\*\*\*\*\*

\*\*\*\*\*  
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.  
\*\*\*\*\*

# **FOIA APPEAL— CASE NO. F-2013-16333**

## **EXHIBIT G**

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present\***

Date Sent	Email To	Email From	Email CC	Email Subject
	'Aslett, Doug' [AslettD@ginl.state.gov]; 'brian blake' [brian.blake@tkca.com]; 'robert kessler' [rkessler@tkca.com]; 'ron lee' [ron.lee@tkca.com]	CTMuhs [chuck.muhs@tkca.com]		Little Bird SoW and Avionics Listing
3/28/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Little Birds
3/28/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Little Birds
3/28/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		RE: Little Birds
3/30/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Dash 8
3/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		RE: Dash 8
3/31/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Dash 8
3/31/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Dash 8
3/31/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Dash 8
3/31/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Dash 8
3/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		RE: Dash 8
3/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		RE: Dash 8
3/31/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Dash 8
4/1/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: -67D
4/1/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: -67D
4/1/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		-67D
4/1/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: -67D
4/1/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: -67D
4/1/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: -67D
4/1/2011	luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]	Carlson, Carl R [CarlsonCR2@state.gov]	Carlson, Carl R [CarlsonC@ginl.state.gov]; CTMuhs [chuck.muhs@tkca.com]	Borescope
4/4/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Trip to Melbourne
4/19/2011	CTMuhs [chuck.muhs@tkca.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Heitzman, Mark [HeitzmanM@ginl.state.gov]	RE: Borescope of ESN: AW0035 from SN 568
4/19/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]; CTMuhs [chuck.muhs@tkca.com]	luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]	Heitzman, Mark [HeitzmanM@ginl.state.gov]	Borescope of ESN: AW0035 from SN 568
4/22/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	FW: () Q300 specs
4/22/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	race.mccleery@tumeq.com [race.mccleery@tumeq.com]; rkessler@tkca.com [rkessler@tkca.com]	Re: () Q300 specs
4/22/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	race.mccleery@tumeq.com [race.mccleery@tumeq.com]; rkessler@tkca.com [rkessler@tkca.com]	Re: () Q300 specs
4/25/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Re: NLG Dash 8

\*Please note: Documents highlighted in yellow indicate the documents where the "top" email has been produced while blue highlights indicate documents that simply are contained within another email.

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
4/25/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: NLG Dash 8
4/25/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Dash 8
4/25/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Tim Summerrow [tim.summerrow@tkca.com]	NLG Dash 8
5/9/2011	'Carlson, Carl R' [CarlsonC@ginl.state.gov]; 'Charles Muhs' [chuck.muhs@tkca.com]	Jon I Jonsson Fluglausnir [joni@fluglausnir.is]		RE: Dornier assistance
5/12/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Blake Brian [brian.blake@tkca.com]; Kessler Robert [rkessler@tkca.com]	Dash 8 MSN 589
5/12/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Blake Brian [brian.blake@tkca.com]; Kessler Robert [rkessler@tkca.com]	Dash 8 MSN 589
5/13/2011	aslettd@ginl.state.gov	Charles Muhs <ctmuhs@msn.com>		PHP
5/31/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]		FW: Cargo option sheet
5/31/2011	Doug Aslett <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.com>		Market Research
5/31/2011	Doug Aslett <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.com>		Market Research
5/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; Carlson, Rob (State) [carlsoncr2@state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Tim Summerrow [tim.summerrow@tkca.com]	RE: () Request in writing for disposition on AW0066
5/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; DoS Aircraft Maintenance [DoSAircraftMaintenance@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Tim Summerrow [tim.summerrow@tkca.com]	RE: Transfer of Title
5/31/2011	Charles Muhs [chuck.muhs@tkca.com]	Denise Baustert [deniseb@insuredaircraft.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	Re: Aircraft Transfer

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
5/31/2011	Denise Baustert [deniseb@insuredaircraft.com]	Charles Muhs [chuck.muhs@tkca.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	Aircraft Transfer
5/31/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Tim Summerrow [tim.summerrow@tkca.com]	Transfer of Title
5/31/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Carlson, Carl R [CarlsonCR2@state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Tim Summerrow [tim.summerrow@tkca.com]	FW: () Request in writing for disposition on AW0066
5/31/2011	Theo Von Wyl [aetst@bluewin.ch]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Tim Summerrow [tim.summerrow@tkca.com]	FW: () Request in writing for disposition on AW0066
6/2/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Fwd: Dash8-Q300 / MSN 589
6/2/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]		Fwd: Dash8-Q300 / MSN 589
6/2/2011	'Charles Muhs' [chuck.muhs@tkca.com]	aetst [aetst@bluewin.ch]	'Brian Blake' [brian.blake@tkca.com]; 'Doug Aslett' [AslettD@ginl.state.gov]; 'Jonathan Cree' [jonathan.cree@aero.bombardier.com]; 'Luby Gorejko' [luby.gorejko@aero.bombardier.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	AW: () Request in writing for disposition on AW0066
6/2/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]		Fwd: AW: () Request in writing for disposition on AW0066

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
6/3/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	brian.blake@tkca.com [brian.blake@tkca.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; race.mccleery@tumeq.com [race.mccleery@tumeq.com]; rkessler@tkca.com [rkessler@tkca.com]	Re: There maybe a delay
6/3/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	There maybe a delay
6/7/2011	brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; CTMuhs [chuck.muhs@tkca.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		FW: FAA Cert and Passport
6/8/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		FW: Aircraft 589
6/8/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	postmaster@ginl.state.gov [postmaster@ginl.state.gov]		Delivery Status Notification (Failure)
6/8/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]	Ferry Pilot
6/8/2011	Brian Blake [brian.blake@tkca.com]; Kessler Robert [rkessler@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]; Daniel Timothy Neve [dneve@airnostrum.es]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Theo Von Wyl [aetst@bluewin.ch]	Delivery Schedule Dash 8
6/8/2011	Alison Payne [alison.payne@aero.bombardier.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Brian Blake [brian.blake@tkca.com]; Carlson, Carl R [CarlsonCR2@state.gov]; Doug Aslett [AslettD@ginl.state.gov]	FW: FAA Cert and Passport
6/9/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]		Re: Ferry Pilot
6/9/2011	Tim Summerrow [tim.summerrow@tkca.com]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	Confirmation of Delivery Date
6/9/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]		Re: Delivery Schedule Dash 8
6/12/2011	CTMuhs [chuck.muhs@tkca.com]; Rob Carlson [carlsonc@ginl.state.gov]	jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]	eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]	Spanish CAA
6/13/2011	Aslett, Doug [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
6/13/2011	Aslett, Doug [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA
6/13/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Spanish CAA
6/13/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]; Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA
6/13/2011	Aslett, Doug [AslettD@ginl.state.gov]; CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: Spanish CAA
6/13/2011	Aslett, Doug [AslettD@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		Re: Spanish CAA
6/13/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]; Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA
6/13/2011	Aslett, Doug [AslettD@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		Re: Spanish CAA
6/13/2011	CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: Spanish CAA
6/14/2011	Brian Blake [brian.blake@tkca.com]; Kessler Robert [rkessler@tkca.com]; Race McCleery [race.mccleery@tumeq.com]; Tim Summerrow [tim.summerrow@tkca.com]	Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonCR2@state.gov]; Doug Aslett [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]; Theo Von Wyl [aetst@bluewin.ch]	Status on Engine-Possible Delay
6/15/2011	Athol.Gardiner@canberra.edu.au [Athol.Gardiner@canberra.edu.au]	Charles Muhs [chuck.muhs@tkca.com]	Doug Aslett [AslettD@ginl.state.gov]; John Felker [John.M.Felker@uscg.mil]	Department of State site visit to Coast Watch Operations
6/15/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Department of State site visit to Coast Watch Operations
6/15/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Department of State site visit to Coast Watch Operations
6/15/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		RE: Department of State site visit to Coast Watch Operations
6/15/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Department of State site visit to Coast Watch Operations
6/15/2011	Aslett, Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]		Re: Department of State site visit to Coast Watch Operations
6/15/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		RE: Department of State site visit to Coast Watch Operations
6/16/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Department of State site visit to Coast Watch Operations
6/16/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Department of State site visit to Coast Watch Operations
6/16/2011	Athol.Gardiner@canberra.edu.au [Athol.Gardiner@canberra.edu.au]	Charles Muhs [chuck.muhs@tkca.com]	Doug Aslett [AslettD@ginl.state.gov]; John Felker [John.M.Felker@uscg.mil]	Re: Department of State site visit to Coast Watch Operations
6/28/2011	Doug Aslett <aslettd@ginl.state.gov>; Rob Carlson <carlsonc@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintllc.us>		FW: Changes to Flight Idle Gate for Beta Lock-out Mod - Costs
7/4/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Spanish CAA

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
7/4/2011	Aslett, Doug [AslettD@ginl.state.gov]; Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: Spanish CAA
7/4/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]; Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA
7/5/2011	Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Spanish CAA
7/6/2011	CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: Spanish CAA
7/6/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]; Blake Brian [brian.blake@tkca.com]	Re: Spanish CAA
7/6/2011	Aslett, Doug [AslettD@ginl.state.gov]; Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: Spanish CAA
7/7/2011	CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		FW: Out of Maintenance SN 588
7/7/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: Out of Maintenance SN 588
7/13/2011	brian.blake@tkca.com [brian.blake@tkca.com]; CarlsonC@ginl.state.gov [CarlsonC@ginl.state.gov]	Alison.Payne@aero.bombardier.com [Alison.Payne@aero.bombardier.com]	'Charles (Chuck) Muhs' [cmuhs@knowledgeintl.com]; eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	SN 589 for TKC US D o S, - Validation of Pilot Licence
7/13/2011	brian.blake@tkca.com [brian.blake@tkca.com]; CarlsonC@ginl.state.gov [CarlsonC@ginl.state.gov]	Alison.Payne@aero.bombardier.com [Alison.Payne@aero.bombardier.com]	'Charles (Chuck) Muhs' [cmuhs@knowledgeintl.com]; eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	() SN 589 for TKC US D o S, - Validation of Pilot Licence



Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
7/13/2011	brian.blake@tkca.com [brian.blake@tkca.com]; CarlsonC@ginl.state.gov [CarlsonC@ginl.state.gov]	Alison.Payne@aero.bombardier.com [Alison.Payne@aero.bombardier.com]	'Charles (Chuck) Muhs' [cmuhs@knowledgeintl.us]; eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	() SN 589 for TKC US D o S, - Validation of Pilot Licence
7/14/2011	Alison.Payne@aero.bombardier.com [Alison.Payne@aero.bombardier.com]; brian.blake@tkca.com [brian.blake@tkca.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]	cmuhs@knowledgeintl.us [cmuhs@knowledgeintl.us]; eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Re: SN 589 for TKC US D o S, - Validation of Pilot Licence
7/14/2011	Alison.Payne@aero.bombardier.com [Alison.Payne@aero.bombardier.com]; brian.blake@tkca.com [brian.blake@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]; Charles (Chuck) Muhs [cmuhs@knowledgeintl.us]; eleanor.smith@aero.bombardier.com [eleanor.smith@aero.bombardier.com]; jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	RE: SN 589 for TKC US D o S, - Validation of Pilot Licence
7/22/2011	Doug Aslett [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		FW: PWC used engines for sale
8/2/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]		Fwd: Updated IATS Wiring Instructions
8/2/2011	Aslett, Doug [AslettD@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]; deniseb@insuredaircraft.com [deniseb@insuredaircraft.com]	Kollar, Esther [KollarE@ginl.state.gov]		RE: Registration Paperwork Address for N589AW

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/2/2011	Luby Gorejko [luby.gorejko@aero.bombardier.com]	Charles Muhs [chuck.muhs@tkca.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]	Engine Serial Numbers
8/2/2011	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; DoS Aircraft Maintenance [DoSAircraftMaintenance@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Tim Summerrow [tim.summerrow@tkca.com]	Re: Transfer of Title
8/2/2011	Brian Blake [brian.blake@tkca.com]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		FW: () Re: Dash 8 Delivery
8/2/2011	Brian Blake [brian.blake@tkca.com]; Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: () Re: Dash 8 Delivery
8/2/2011	Charles Muhs [chuck.muhs@tkca.com]	jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Re: Dash 8 Delivery
8/2/2011	Charles Muhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; DoS Aircraft Maintenance [DoSAircraftMaintenance@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Tim Summerrow [tim.summerrow@tkca.com]	Re: Transfer of Title
8/2/2011	Brian Blake [brian.blake@tkca.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: () Re: Dash 8 Delivery

**Spreadsheet of DOS/Muhs Email Correspondence**  
**3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/2/2011	Cindy Nettleton [cindy.nettleton@tkca.com]; Race McCleery [race.mccleery@tumeq.com]	Charles Muhs [chuck.muhs@tkca.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Dash 8 Delivery
8/2/2011	'Charles Muhs' [chuck.muhs@tkca.com]; 'Rob Carlson' [CarlsonC@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]	ron.lee@tkca.com [ron.lee@tkca.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	RE: () Re: Dash 8 Delivery
8/2/2011	Charles Muhs [chuck.muhs@tkca.com]	jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Re: Dash 8 Delivery
8/2/2011	Charles Muhs [chuck.muhs@tkca.com]	jonathan.cree@aero.bombardier.com [jonathan.cree@aero.bombardier.com]	Alison Payne [alison.payne@aero.bombardier.com]; Brian Blake [brian.blake@tkca.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	() Re: Dash 8 Delivery
8/2/2011	Brian Blake [brian.blake@tkca.com]; Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: () Re: Dash 8 Delivery
8/2/2011	Brian Blake [brian.blake@tkca.com]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		FW: () Re: Dash 8 Delivery
8/2/2011	Brian Blake [brian.blake@tkca.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]		Re: () Re: Dash 8 Delivery
8/2/2011	'Charles Muhs' [chuck.muhs@tkca.com]; 'Rob Carlson' [CarlsonC@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]	'ron.lee@tkca.com' [ron.lee@tkca.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	RE: () Re: Dash 8 Delivery

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/3/2011	Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Kollar, Esther [KollarE@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Ron Lee [ron.lee@tkca.com]	Re: Registration Paperwork Address for N589AW
8/4/2011	Ron Lee <ron.lee@tkca.com>; Brian Blake <brian.blake@tkca.com>; Tim Summerrow <tim.summerrow@tkca.com>	Charles (Chuck) Muhs <cmuhs@knowledgeintllc.us>	Cindy Nettleton <cindy.nettleton@tkca.com>; Race McCleery <race.mccleery@tumeq.com>; Doug Aslett <aslettd@ginl.state.gov>; Denise Baustert <deniseb@insuredaircraft.com>; Alison Payne <alison.payne@aero.bombardier.com>; Jonathan Cree <jonathan.cree@aero.bombardier.com>	Bill of Sale
8/4/2011	Ron Lee <ron.lee@tkca.com>; Brian Blake <brian.blake@tkca.com>; Tim Summerrow <tim.summerrow@tkca.com>	Charles (Chuck) Muhs <cmuhs@knowledgeintllc.us>	Cindy Nettleton <cindy.nettleton@tkca.com>; Race McCleery <race.mccleery@tumeq.com>; Doug Aslett <aslettd@ginl.state.gov>; Denise Baustert <deniseb@insuredaircraft.com>; Alison Payne <alison.payne@aero.bombardier.com>; Jonathan Cree <jonathan.cree@aero.bombardier.com>	Bill of Sale
8/4/2011	Brian Blake [brian.blake@tkca.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Charles Muhs [cmuhs@knowledgeintllc.us]	Alison Payne [alison.payne@aero.bombardier.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]	Re: Bill of Sale
8/4/2011	Brian Blake [brian.blake@tkca.com]; Ron Lee [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	Charles (Chuck) Muhs [cmuhs@knowledgeintllc.us]	Alison Payne [alison.payne@aero.bombardier.com]; Cindy Nettleton [cindy.nettleton@tkca.com]; Denise Baustert [deniseb@insuredaircraft.com]; Doug Aslett [AslettD@ginl.state.gov]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]	Bill of Sale
8/4/2011	Doug Aslett [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Daniel Timothy Neve [dneve@airnostrum.es]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	Schedule Update

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/4/2011	'Brian Blake' [brian.blake@tkca.com]; 'Charles Muhs' [chuck.muhs@tkca.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	Ron Lee [ron.lee@tkca.com]	'Alison Payne' [alison.payne@aero.bombardier.com]; 'Cindy Nettleton' [cindy.nettleton@tkca.com]; 'Denise Baustert' [deniseb@insuredaircraft.com]; 'Doug Aslett' [AslettD@ginl.state.gov]; 'Jonathan Cree' [jonathan.cree@aero.bombardier.com]; 'Race McCleery' [race.mccleery@tumeq.com]	RE: Bill of Sale
8/4/2011	'Brian Blake' [brian.blake@tkca.com]; 'Charles (Chuck) Muhs' [cmuhs@knowledgeintl.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	Ron Lee [ron.lee@tkca.com]	'Alison Payne' [alison.payne@aero.bombardier.com]; 'Cindy Nettleton' [cindy.nettleton@tkca.com]; 'Denise Baustert' [deniseb@insuredaircraft.com]; 'Doug Aslett' [AslettD@ginl.state.gov]; 'Jonathan Cree' [jonathan.cree@aero.bombardier.com]; 'Race McCleery' [race.mccleery@tumeq.com]	RE: Bill of Sale
8/4/2011	Aslett, Doug [AslettD@ginl.state.gov]; Charles Muhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; Daniel Timothy Neve [dneve@airnostrum.es]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	RE: Schedule Update
8/4/2011	Ron Lee <ron.lee@tkca.com>; Brian Blake <brian.blake@tkca.com>; Tim Summerrow <tim.summerrow@tkca.com>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.com>	Cindy Nettleton <cindy.nettleton@tkca.com>; Race McCleery <race.mccleery@tumeq.com>; Doug Aslett <aslettd@ginl.state.gov>; Denise Baustert <deniseb@insuredaircraft.com>; Alison Payne <alison.payne@aero.bombardier.com>; Jonathan Cree <jonathan.cree@aero.bombardier.com>	Bill of Sale
8/4/2011	Ron Lee <ron.lee@tkca.com>; Brian Blake <brian.blake@tkca.com>; Tim Summerrow <tim.summerrow@tkca.com>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.com>	Cindy Nettleton <cindy.nettleton@tkca.com>; Race McCleery <race.mccleery@tumeq.com>; Doug Aslett <aslettd@ginl.state.gov>; Denise Baustert <deniseb@insuredaircraft.com>; Alison Payne <alison.payne@aero.bombardier.com>; Jonathan Cree <jonathan.cree@aero.bombardier.com>	Bill of Sale

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
8/4/2011	Ron Lee <ron.lee@tkca.com>; Brian Blake <brian.blake@tkca.com>; Tim Summerrow <tim.summerrow@tkca.com>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.com>	Cindy Nettleton <cindy.nettleton@tkca.com>; Race McCleery <race.mccleery@tumeq.com>; Doug Aslett <aslettd@ginl.state.gov>; Denise Baustert <deniseb@insuredaircraft.com>; Alison Payne <alison.payne@aero.bombardier.com>; Jonathan Cree <jonathan.cree@aero.bombardier.com>	Bill of Sale
8/5/2011	Charles Muhs [chuck.muhs@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Daniel Timothy Neve [dneve@airnostrum.es]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Laura Barco La nez [lbarco@airnostrum.es]; luby.gorejko@aero.bombardier.com [luby.gorejko@aero.bombardier.com]; Pedro Amador L zaro Ca abate [plazaro@airnostrum.es]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	RE: Schedule Update
8/5/2011	Daniel Timothy Neve [dneve@airnostrum.es]; Doug Aslett [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Laura Barco La nez [lbarco@airnostrum.es]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Pedro Canabate [plazaro@airnostrum.es]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	Re: Schedule Update
8/5/2011	Ron Lee [ron.lee@tkca.com]	Denise Baustert [deniseb@insuredaircraft.com]	'Alison Payne' [alison.payne@aero.bombardier.com]; 'Brian Blake' [brian.blake@tkca.com]; 'Charles Muhs' [chuck.muhs@tkca.com]; 'Cindy Nettleton' [cindy.nettleton@tkca.com]; 'Doug Aslett' [AslettD@ginl.state.gov]; 'Jonathan Cree' [jonathan.cree@aero.bombardier.com]; 'Race McCleery' [race.mccleery@tumeq.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	Re: Bill of Sale

**Spreadsheet of DOS/Muhs Email Correspondence**  
**3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/5/2011	Charles Muhs [chuck.muhs@tkca.com]; Doug Aslett [AslettD@ginl.state.gov]; Rob Carlson [CarlsonC@ginl.state.gov]	Daniel Timothy Neve [dneve@airnostrum.es]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Laura Barco La nez [lbarco@airnostrum.es]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Pedro Amador L zaro Ca abate [plazaro@airnostrum.es]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	RE: Schedule Update
8/5/2011	Aslett, Doug [AslettD@ginl.state.gov]; Charles Muhs [chuck.muhs@tkca.com]; Daniel Timothy Neve [dneve@airnostrum.es]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Laura Barco La nez [lbarco@airnostrum.es]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Pedro Amador L zaro Ca abate [plazaro@airnostrum.es]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]	RE: Schedule Update
8/8/2011	Aslett, Doug [AslettD@ginl.state.gov]; Carlson, Carl R [CarlsonC@ginl.state.gov]; Charles Muhs [chuck.muhs@tkca.com]	Daniel Timothy Neve [dneve@airnostrum.es]	Brian Blake [brian.blake@tkca.com]; Jonathan Cree [jonathan.cree@aero.bombardier.com]; Laura Barco La nez [lbarco@airnostrum.es]; Luby Gorejko [luby.gorejko@aero.bombardier.com]; Pedro Amador L zaro Ca abate [plazaro@airnostrum.es]; Race McCleery [race.mccleery@tumeq.com]; Ron Lee [ron.lee@tkca.com]; Theo Von Wyl [aetst@bluewin.ch]; Tim Summerrow [tim.summerrow@tkca.com]; Waldo Van Audenhove [wvanaudenhove@airnostrum.es]	RE: Schedule Update
8/11/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Blake Brian [brian.blake@tkca.com]; Carlson Rob [CarlsonC@ginl.state.gov]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	Engine Inspection
8/11/2011	Aslett Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Blake Brian [brian.blake@tkca.com]; Carlson Rob [CarlsonC@ginl.state.gov]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	Engine Inspection

**Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present**

Date Sent	Email To	Email From	Email CC	Email Subject
8/11/2011	Aslett Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Fwd: Urgent request for CH-46 Rate Gyro
8/11/2011	Aslett, Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Re: Urgent request for CH-46 Rate Gyro
8/11/2011	Aslett Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Fwd: Urgent request for CH-46 Rate Gyro
8/11/2011	Aslett, Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Re: Urgent request for CH-46 Rate Gyro
8/11/2011	Aslett Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Fwd: Urgent request for CH-46 Rate Gyro
8/11/2011	Aslett, Doug <aslettd@ginl.state.gov>	Charles (Chuck) Muhs <cmuhs@knowledgeintl.us>		Re: Urgent request for CH-46 Rate Gyro
8/12/2011	Aslett, Doug [AslettD@ginl.state.gov]; CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Blake Brian [brian.blake@tkca.com]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	RE: Engine Inspection
8/12/2011	CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]; Blake Brian [brian.blake@tkca.com]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	RE: Engine Inspection
8/12/2011	Carlson, Carl R [CarlsonC@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]; Blake Brian [brian.blake@tkca.com]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	Re: Engine Inspection
8/12/2011	CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]; Blake Brian [brian.blake@tkca.com]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	RE: Engine Inspection
8/12/2011	Aslett, Doug [AslettD@ginl.state.gov]; CTMuhs [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Blake Brian [brian.blake@tkca.com]; Cree Jonathan [jonathan.cree@aero.bombardier.com]	RE: Engine Inspection
8/13/2011	mrbkblake@aol.com [mrbkblake@aol.com]	Aslett, Doug [AslettD@ginl.state.gov]	Carlson, Carl R [CarlsonC@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]; DoS Aircraft Maintenance [DoSAircraftMaintenance@ginl.state.gov]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com	Re: Borescope and records AW0068
8/13/2011	Aslett, Doug [AslettD@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]	[tim.summerrow@tkca.com]	Re: Borescope and records AW0068
8/13/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Aslett, Doug [AslettD@ginl.state.gov]		Re: Borescope and records AW0068
8/13/2011	aslettd@ginl.state.gov [aslettd@ginl.state.gov]; carlsonc@ginl.state.gov [carlsonc@ginl.state.gov]; youmansdl@ginl.state.gov [youmansdl@ginl.state.gov]	Brian Blake [mrbkblake@aol.com]	chuck.muhs@tkca.com [chuck.muhs@tkca.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Borescope and records AW0068



Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
8/14/2011	mrbkblake@aol.com [mrbkblake@aol.com]	Aslett, Doug [AslettD@ginl.state.gov]	Carlson, Carl R [CarlsonC@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]; DoS Aircraft Maintenance [DoSAircraftMaintenance@ginl.state.gov]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Re: Borescope and records AW0068
8/14/2011	Bill Dalsen [billandcleo@hotmail.com]; Bill Haugh [billhaugh@hotmail.com]; CAL Lude USAF, (ret) [afkc10pilot@aol.com]; Cal Lude, COL USAF, (ret) [cal.lude@gmail.com]; Charles Muhs [CTMuhs@msn.com]; Craig Corl [Craigcorl@yahoo.com]; ctmuhs@tkc-aero.com [ctmuhs@tkc-aero.com]; davetharrington@gmail.com [davetharrington@gmail.com]; Dgbrisk@aol.com [dgbrisk@aol.com]; dig73mae@verizon.net [dig73mae@verizon.net]; Don Bruzdinski [dgbrisk@gmail.com]; Don Triner [dtriner@aol.com]; donald.triner@dhs.gov [donald.triner@dhs.gov]; Ed Tupay [etupay@verizon.net]; HaughWJ@state.gov [HaughWJ@state.gov]; Helmut Draxler [draxlerhelm13@gmail.com]; helmut.draxler@verizon.net [helmut.draxler@verizon.net]; Jack Oehme [jloehme@comcast.net]; Jason [Jason]; Mr. Dan Monahan [dan_monahan08@comcast.net]; Mr. Dan Wilmont [dan.wilmot@comcast.net]; Mr. Dave Barton [davebarton@hopelessgolfer.com]; Newton [newts1963@aol.com]; Rogers Patrick [gatorsbtb@gmail.com]; SES Ron Winter [catman1965@aol.com]; Thomas LCDR Gwilliam [Thomas.V.Gwilliam@uscg.mil]	Brownlee, Robert B CW3 NG NG FORSCOM [robert.b.brownlee@us.army.mil]		Re: This Morning Wx
8/14/2011	AslettD@ginl.state.gov [AslettD@ginl.state.gov]	Brian Blake [mrbkblake@aol.com]	[CarlsonC@ginl.state.gov]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]; DoSAircraftMaintenance@ginl.state.gov [DoSAircraftMaintenance@ginl.state.gov]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Re: Borescope and records AW0068

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
	[billhaugh@hotmail.com]; Bruce Brownlee [robert.b.brownlee@us.army.mil]; CAL Lude USAF, (ret) [afkc10pilot@aol.com]; Cal Lude, COL USAF, (ret) [cal.lude@gmail.com]; Charles Muhs [CTMuhs@msn.com]; Craig Corl [Craigcorl@yahoo.com]; ctmuhs@tkc-aero.com [ctmuhs@tkc-aero.com]; davetharrington@gmail.com [davetharrington@gmail.com]; Dgbrisk@aol.com [dgbrisk@aol.com]; dig73mae@verizon.net [dig73mae@verizon.net]; Don Bruzdinski [dgbrisk@gmail.com]; Don Triner [dtriner@aol.com]; donald.triner@dhs.gov [donald.triner@dhs.gov]; Ed Tupay [etupay@verizon.net]; Ed Tupay [edmund.tupay@dhs.gov]; Eric Vranek [vranekX2@comcast.net]; HaughWJ@state.gov [HaughWJ@state.gov]; Helmut Draxler [draxlerhelm13@gmail.com]; Jack Oehme [jloehme@comcast.net]; Jason Sestak [jason.sestak@gmail.com]; Jay Dell [jfdell@gmail.com]; Jim Morehouse [ccmorehous@aol.com]; jim.morehouse@telos.com [jim.morehouse@telos.com]; Joe Fortson [jforts@yahoo.com]; John Felker [John.M.Felker@uscg.mil]; Kevin McCart [kmccart@PattonBoggs.com]; Kirk Hiles [kjhiles@verizon.net]; Kirk.Hiles@fcps.edu	helmut.draxler@verizon.net [helmut.draxler@verizon.net]		
8/14/2011	[Kirk.Hiles@fcps.edu]; Mark Zavack	helmut.draxler@verizon.net [helmut.draxler@verizon.net]		Re: This Morning Wx
8/15/2011	Aslett Doug [AslettD@ginl.state.gov]; Carlson Rob [CarlsonC@ginl.state.gov]	CTMuhs [chuck.muhs@tkca.com]		Fwd: () APU problems
8/17/2011	dneve@airnostrum.es [dneve@airnostrum.es]	Carlson, Carl R [CarlsonC@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]; chuck.muhs@tkca.com [chuck.muhs@tkca.com]; hale.miller@aero.bombardier.com [hale.miller@aero.bombardier.com]; Luby [luby.gorejko@aero.bombardier.com]	589
8/18/2011	Brian Blake [brian.blake@tkca.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; Youmans, David L [YoumansDL@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]	Charles Muhs [chuck.muhs@tkca.com]; Race McCleery [race.mccleery@tumeq.com]; ron.lee@tkca.com [ron.lee@tkca.com]; Tim Summerrow [tim.summerrow@tkca.com]	RE: MSN 589 Status

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
8/18/2011	brian.blake@tkca.com [brian.blake@tkca.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; race.mccleery@tumeq.com [race.mccleery@tumeq.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]	chuck.muhs@tkca.com [chuck.muhs@tkca.com]; ron.lee@tkca.com [ron.lee@tkca.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]	Re: MSN 589 Status
8/18/2011	'Aslett, Doug' [AslettD@ginl.state.gov]; 'Rob Carlson' [CarlsonC@ginl.state.gov]; 'Youmans, David L' [YoumansDL@ginl.state.gov]	Brian Blake [brian.blake@tkca.com]	'Charles Muhs' [chuck.muhs@tkca.com]; 'Race McCleery' [race.mccleery@tumeq.com]; ron.lee@tkca.com [ron.lee@tkca.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	MSN 589 Status
8/18/2011	'Aslett, Doug' [AslettD@ginl.state.gov]; 'Brian Blake' [brian.blake@tkca.com]; 'Carlson, Carl R' [CarlsonC@ginl.state.gov]; 'Youmans, David L' [YoumansDL@ginl.state.gov]	Race McCleery [race.mccleery@tumeq.com]	'Charles Muhs' [chuck.muhs@tkca.com]; ron.lee@tkca.com [ron.lee@tkca.com]; 'Tim Summerrow' [tim.summerrow@tkca.com]	RE: MSN 589 Status
8/19/2011	chuck.muhs@tkca.com [chuck.muhs@tkca.com]	Carlson, Carl R [CarlsonC@ginl.state.gov]		Fw: Infant Life vest
8/29/2011	Brian Blake [brian.blake@tkca.com]; brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; ctmuhs@me.com [ctmuhs@me.com]; imam_cell@skyservicebas.com [imam_cell@skyservicebas.com]; Luby [luby.gorejko@aero.bombardier.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]		RE: 589
8/29/2011	Aslett, Doug [AslettD@ginl.state.gov]; Brian Blake [brian.blake@tkca.com]; brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; ctmuhs@me.com [ctmuhs@me.com]; imam_cell@skyservicebas.com [imam_cell@skyservicebas.com]; Luby [luby.gorejko@aero.bombardier.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Carlson, Carl R [CarlsonC@ginl.state.gov]		589

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
8/30/2011	Aslett, Doug [AslettD@ginl.state.gov]; Brian Blake [brian.blake@tkca.com]; brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; ctmuhs@me.com [ctmuhs@me.com]; imam_cella@skyservicebas.com [imam_cella@skyservicebas.com]; Luby [luby.gorejko@aero.bombardier.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Carlson, Carl R [CarlsonC@ginl.state.gov]		RE: 589
8/30/2011	Brian Blake [brian.blake@tkca.com]; brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; ctmuhs@me.com [ctmuhs@me.com]; imam_cella@skyservicebas.com [imam_cella@skyservicebas.com]; Luby [luby.gorejko@aero.bombardier.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]		RE: 589
8/30/2011	Brian Blake [brian.blake@tkca.com]; brian.price@aero.bombardier.com [brian.price@aero.bombardier.com]; Carlson, Carl R [CarlsonC@ginl.state.gov]; ctmuhs@me.com [ctmuhs@me.com]; imam_cella@skyservicebas.com [imam_cella@skyservicebas.com]; Luby [luby.gorejko@aero.bombardier.com]; tim.summerrow@tkca.com [tim.summerrow@tkca.com]; Youmans, David L [YoumansDL@ginl.state.gov]	Aslett, Doug [AslettD@ginl.state.gov]		RE: 589
9/15/2011	Aslett, Doug <AslettD@ginl.state.gov>; 'Charles T. Muhs' (ctmuhs@msn.com)	ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=DCANNON>	Tina Cannon <tina@phoenixheliparts.com>	RE: James Cameron New 530FF
9/15/2011	Aslett, Doug <AslettD@ginl.state.gov>	ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=DCANNON>	Tina Cannon <tina@phoenixheliparts.com>; 'Charles T. Muhs' (ctmuhs@msn.com)	James Cameron New 530FF
9/15/2011	Aslett, Doug <AslettD@ginl.state.gov>	ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=DCANNON>	Tina Cannon <tina@phoenixheliparts.com>; 'Charles T. Muhs' (ctmuhs@msn.com)	James Cameron New 530FF

Spreadsheet of DOS/Muhs Email Correspondence  
3/25/11 to Present

Date Sent	Email To	Email From	Email CC	Email Subject
9/15/2011	Aslett, Doug <AslettD@ginl.state.gov>; 'Charles T. Muhs' (ctmuhs@msn.com)	Darin Cannon </O=FIRST ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=DCANNON>	Tina Cannon <tina@phoenixheliparts.com>	RE: James Cameron New 530FF

# **FOIA APPEAL— CASE NO. F-2013-16333**

## **EXHIBIT H**

From: Aslett, Doug [AslettD@ginl.state.gov]  
Sent: 4/22/2011 12:54:22 PM  
To: chuck.muhs@tkca.com [chuck.muhs@tkca.com]  
CC: rkessler@tkca.com [rkessler@tkca.com], race.mccleery@tumeq.com [race.mccleery@tumeq.com]  
Subject: Re: ( ) Q300 specs

Thanks Chuck. I'll review as part of my market research.

Doug

----- Original Message -----

From: Charles Muhs [mailto:chuck.muhs@tkca.com]  
Sent: Friday, April 22, 2011 08:46 AM  
To: Aslett, Doug  
Cc: Kessler Robert <rkessler@tkca.com>; Race McCleery <race.mccleery@tumeq.com>  
Subject: FW: ( ) Q300 specs

Doug,

Here are the specification for the 3 available aircraft. There are contracts (LoIs) on these aircraft but as of this morning no one as signed the contracts.

Regards,

Chuck

On 4/19/11 8:33 AM, ""jonathan.cree@aero.bombardier.com""  
<jonathan.cree@aero.bombardier.com> wrote:

>

>Hi Chuck,

>

>Attached are specs of the remaining aircraft. From a spec point of view  
>and also a bit better for pricing, I was focusing on 560, however also  
>included for review are 582 and 586.

>560 is already on offer to other customers but we can still consider as  
>nothing signed yet.

>Let me know your thoughts.

>

>

>(See attached file: 560 Mkt Spec - 28 July 2009.doc.xls)(See attached  
>file:

>582 Projected Mkt Spec - 5 Nov 2010.xls)(See attached file: 586 Projected  
>Mkt Spec - 5 Nov 2010.xls)

>

>jonathan