



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
 STATION PLACE
 100 F STREET, NE
 WASHINGTON, DC 20549-2465

Office of FOIA Services

June 15, 2021

Mr. Aaron Greenspan
 Think Computer Foundation
 956 Carolina Street
 San Francisco, CA 94107

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
 Request No. **21-01565-FOIA**

Dear Mr. Greenspan:

This letter is in reference to your FOIA request, which you made as part of a FOIA appeal¹ of our response to your November 20, 2019 FOIA request for records concerning CNBC anchor Jim Cramer.² The Office of the General Counsel (OGC), forwarded your request to this office for processing on April 16, 2021.

By way of background, in our response to your November 20, 2019 FOIA request for records concerning Jim Cramer, we advised you that we could neither confirm nor deny the existence of any records responsive to your request. In your appeal letter, you stated that the "request should be construed as involving Mr. Cramer's initiatives, TheStreet.com, CNBC Mad Money, and the Mad Money Charitable Trust." By letter dated April 16, 2021, OGC determined that these entities were not a part of your initial FOIA request, and therefore instructed our office to treat this as a new FOIA request.

In processing your request, we used the date range from the initial request for investigative records, January 1, 1995 to the present. As you may be aware, each subject of your request was assigned a separate tracking number as shown below.

Request No.	Subject
21-01565-FOIA	TheStreet.com
21-01597-FOIA	CNBC Mad Money
21-01598-FOIA	Mad Money Charitable Trust

¹ FOIA Appeal number 21-00298-APPS.

² FOIA Request number 20-00395-FOIA.

Mr. Aaron Greenspan
June 15, 2021
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21-01565-FOIA

This letter is in reference to FOIA request number 21-01565-FOIA, only.

We will be unable to respond to your request within the Freedom of Information Act's twenty day statutory time period, as there are unusual circumstances which impact on our ability to quickly process your request. Therefore, we are invoking the 10 day extension. These unusual circumstances are: (a) the need to search for and collect records from an organization geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other offices having a substantial interest in either the determination or the subject matter of the records. For these reasons, we will process your case consistent with the order in which we received your request.

We have identified approximately 41 boxes of records that may be responsive to your request. Under the FOIA, you are considered a "Media Use" requester. As such, all search and review services are free of charge to you.

We typically estimate that it will take approximately 4 hours to review the contents of one box of records (approximately 2,500 pages) for releasability under the FOIA. However, it could take up to 8 hours per box depending on the subject matter. Therefore, our preliminary estimate at this point to review the approximately 41 boxes of records is anywhere from 164 to 328 hours.

Since the records are voluminous, if requested, we would process them in our Complex track. Under 5 U.S.C. § 552(b)(6)(D)(i) agencies may provide for multi-track processing of requests for records based on the amount of work or time (or both) involved in processing requests. The SEC's regulation implementing multi-track processing is located at 17 CFR § 200.80(d)(4).

Investigatory records generally consist of transcripts of testimony, exhibits, and miscellaneous evidentiary materials. Therefore, you may want to consider narrowing the scope of your request.

At present we anticipate that it may take thirty-six months or more before we can begin to process a request placed in our Complex track.

Mr. Aaron Greenspan
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21-01565-FOIA

If you are interested in having us place your request in our Complex track, please write or call me by **June 29, 2021** and identify the records of interest to you.

If you have any questions, please contact me at neilsonc@sec.gov or (202) 551-3149. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Neilson".

Curtis Neilson
FOIA Research Specialist

Enclosure

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

June 21, 2021

Mr. Aaron Greenspan
Think Computer Foundation
956 Carolina Street
San Francisco, CA 94107

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request Nos. **21-01565-FOIA** and **21-00084-COV**

Dear Mr. Greenspan:

This letter is in further reference to your FOIA request, which you made as part of a FOIA appeal¹ of our response to your November 20, 2019 FOIA request for records concerning CNBC anchor Jim Cramer.² The Office of the General Counsel (OGC), forwarded your request to this office for processing on April 16, 2021.

In processing your request, we used the date range from the initial request for investigative records, January 1, 1995 to the present. As you may be aware, each subject of your request was assigned a separate tracking number as shown below.

Request No.	Subject
21-01565-FOIA	TheStreet.com
21-01597-FOIA	CNBC Mad Money
21-01598-FOIA	Mad Money Charitable Trust

This letter is in reference to FOIA request number 21-01565-FOIA, only.

You were previously informed that we have identified records (approximately 41 boxes) that may be responsive to your request. However, due to the COVID-19 pandemic and the SEC's current mandatory telework posture, we are experiencing an ongoing impact to some of our normal operations, including obtaining paper records from Federal Records Centers and SEC

Mr. Aaron Greenspan

21-01565-FOIA and

¹ FOIA Appeal number 21-00298-APPS.

² FOIA Request number 20-00395-FOIA.

June 21, 2021

21-00084-COV

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office spaces. Therefore, our responses to requests asking for such records will be delayed until conditions change and we are able to access and process the requested records.

Given the unprecedented situation due to the COVID-19 pandemic, we will be unable to respond to your request within the Freedom of Information Act's twenty day statutory time period, as there are unusual circumstances which impact on our ability to quickly process your request. Therefore, we are invoking the 10 day extension. These unusual circumstances are: (a) the need to search for and collect records from an organization geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other offices having a substantial interest in either the determination or the subject matter of the records. For these reasons, we will process your case consistent with the order in which we received your request.

Pursuant to 5 U.S.C. § 552(b)(6)(i), agencies may provide for multi-track processing of requests for records based on the amount of work or time (or both) involved in processing requests. The SEC's regulation implementing multi-track processing is located at 17 CFR § 200.80(d)(4). Since the records you requested are currently inaccessible, we will place your request in our Complex/COVID track. Accordingly, we have administratively closed your original request 21-01565-FOIA. Please be advised that your request will be processed in the order in which it was received as soon as we resume normal operations.

If you believe there may be records responsive to your request that are currently accessible, and you would like to narrow the scope of your request to only include those records, please write or call me by **July 1, 2021** and identify the records of interest to you.

If you have any questions, please contact me at neilsonc@sec.gov or (202) 551-3149. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900.

Mr. Aaron Greenspan

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Page 3

21-00084-COV

For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Neilson". The signature is written in a cursive style with a large initial "C" and a long horizontal stroke at the end.

Curtis Neilson
Research Specialist

Enclosure

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.

Begin forwarded message:

From: "Neilson, Curtis A" <neilsonc@SEC.GOV>
Subject: RE: 21-01565-FOIA Response
Date: December 13, 2021 at 8:32:40 AM PST
To: Aaron Greenspan <aaron.greenspan@plainsite.org>

Mr. Greenspan,

Thank you for following up. At this time, the SEC's work posture has not changed. Therefore, we have not continued to process requests such as your, so we are unable to determine the contents of the records that were located. The date of returning to normal operations is no earlier than March 2022. If the status of your request changes and we begin processing before then, we will inform you of that as well.

If you have any other questions, please let me know. I hope this helps.

Thank you,
Curtis

Curtis Neilson
FOIA Research Specialist
U.S. Securities & Exchange Commission
Office of FOIA Services
100 F Street, NE
Washington, D.C. 20549-2465
Office: (202) 551-3149
Fax: (202) 772-9337

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Friday, December 10, 2021 7:48 PM
To: Neilson, Curtis A <neilsonc@SEC.GOV>
Cc: Rachel Eun <eun@loevy.com>; Matt Topic <matt@loevy.com>
Subject: Re: 21-01565-FOIA Response

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Neilson,

Regarding Request No. 21-01565-FOIA / 21-00084-COV, can you give me a sense of when the SEC's COVID track will begin to be processed? Or some sort of estimated completion date?

Again, I would also appreciate some description of what is in the boxes so that I might be able to narrow my request.

Thanks,

Aaron

PlainSite | <https://www.plainsite.org>

On Jun 21, 2021, at 8:53 AM, Neilson, Curtis A <neilsonc@SEC.GOV> wrote:

Mr. Greenspan,

If you have specific types of investigation records in mind (i.e. transcripts, subpoenas, exhibits, correspondence, etc.), this would help to determine which boxes we would need to pull and review. You are correct, we do not know at this time what boxes contain what records.

Since you agreed to process up to the simple track limit, this would be helpful information to have once we can continue processing your request, if you choose to do so still. We will notify you once we are able to continue processing requests such as yours.

Thanks,
Curtis

Curtis Neilson
FOIA Research Specialist
U.S. Securities & Exchange Commission
Office of FOIA Services
100 F Street, NE
Washington, D.C. 20549-2465
Office: (202) 551-3149
Fax: (202) 772-9337

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Monday, June 21, 2021 11:47 AM
To: Neilson, Curtis A <neilsonc@SEC.GOV>
Subject: Re: 21-01565-FOIA Response

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Neilson,

How can I tell you which records I would prefer to be reviewed if you can't tell me what is in the boxes?

Aaron

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

January 13, 2021

Mr. Aaron Greenspan
Think Computer Foundation
956 Carolina Street
San Francisco, CA 94107

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **21-00677-FOIA**

Dear Mr. Greenspan:

This letter is an acknowledgment of your FOIA request dated and received in this office on January 12, 2021, for records regarding all e-mails to or from any sec.gov e-mail address and Bradley Bondi (bbondi@cahill.com) or his assistant(s) on his behalf from January 1, 2020 to the present.

Your request has been assigned tracking number 21-00677-FOIA. Your request will be assigned to a Research Specialist for processing and you will be notified of the findings as soon as possible. If you do not receive a response after thirty business days from when we received your request, you have the right to seek dispute resolution services from an SEC FOIA Public Liaison or the Office of Government Information Services (OGIS). A list of SEC FOIA Public Liaisons can be found on our agency website at <https://www.sec.gov/oso/contact/foia-contact.html>. OGIS can be reached at 1-877-684-6448 or Archives.gov or via email at ogis@nara.gov.

In the interim, if you have any questions about your request, you may contact this office by calling (202) 551-7900, or sending an e-mail to foiapa@sec.gov. Please refer to your tracking number when contacting us.

For additional information, please visit our website at www.sec.gov and follow the FOIA link at the bottom.

Sincerely,

Office of FOIA Services

Fwd: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

Begin forwarded message:

From: Aaron Greenspan <aaron.greenspan@plainsite.org>

Subject: Re: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

Date: November 12, 2021 at 12:55:13 PM PST

To: Adrienne Santos <SantosAd@SEC.GOV>

Cc: Carl Rollins <RollinsC@SEC.GOV>, Raymond McInerney <McInerneyR@SEC.GOV>, Lizzette Katilius <KatiliusL@SEC.GOV>, Carrie Hyde-Michaels <hyde-michaelsc@SEC.GOV>

Ms. Santos,

OK, great, see you all in court. I've had enough.

Aaron

PlainSite | <https://www.plainsite.org>

On Nov 12, 2021, at 12:53 PM, Santos, Adrienne <SantosAd@SEC.GOV> wrote:

Mr. Greenspan,

I am following up and providing a status update to your pending FOIA Request 21-00677-FOIA. We were hoping to make a partial release to you today, but unfortunately we won't be able to do so as all necessary consultations and reviews have not been completed. As Carrie Hyde-Michaels previously advised you, there are multiple factors outside of our control that may affect the review process, including the consultation process. However, please note that we are working to provide a partial release to you soon, once all reviews and consultations are completed. Our current **estimated completion date** is still **December 31, 2021**, although this date is our best current estimate and subject to change.

We do regret this delay and appreciate your patience.

Adrienne M. Santos
FOIA Branch Manager

Office of FOIA Services
US Securities and Exchange Commission
100 F. Street, NE
Washington, DC 20549-2465

From: Hyde-Michaels, Carrie
Sent: Friday, October 15, 2021 1:48 PM
To: 'Aaron Greenspan' <aaron.greenspan@plainsite.org>
Cc: Rollins, Carl <RollinsC@sec.gov>; Santos, Adrienne <SantosAd@SEC.GOV>; McInerney, Raymond <McInerneyR@SEC.GOV>; Katilius, Lizzette <KatiliusL@SEC.GOV>
Subject: RE: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

Mr. Greenspan,

Thank you for your email. With regard to the length of time that it takes to process a request, please be advised that the time needed to process each request varies. This request required an extensive search of all email addresses throughout the entire agency. The records retrieved were voluminous, not limited to any specific topic, and some may contain sensitive information that cannot be released. Because the emails involve multiple different offices, we will need to engage in the consultation process once our initial review is complete. Our review process is designed to ensure that no information is released that should not have been and completing that careful review takes time. We appreciate your continued patience as we continue to work to complete your request.

We will contact you to provide a status update by November 12.

Thank you,
Carrie Hyde-Michaels
FOIA Branch Chief
U.S. Securities and Exchange Commission
Office of FOIA Services
hyde-michaelsc@sec.gov
Direct: (202) 551-5816

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Thursday, October 14, 2021 3:21 PM
To: Hyde-Michaels, Carrie <hyde-michaelsc@SEC.GOV>
Cc: Rollins, Carl <RollinsC@SEC.GOV>; Santos, Adrienne <SantosAd@SEC.GOV>; McInerney, Raymond <McInerneyR@SEC.GOV>; Mallon, Carmen <mallonc@SEC.GOV>; Yerramalli, Prashant <YerramalliP@SEC.GOV>; Chair <chair@sec.gov>; Buda, Frank <BudaF@SEC.GOV>; CommissionerCrenshaw <CommissionerCrenshaw@SEC.GOV>; CommissionerLee <CommissionerLee@SEC.GOV>
Subject: Re: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hyde-Michaels,

Thank you.

Please explain how and why it takes the SEC a **full year** to do a maximum of 32 hours worth of work, especially when I have received similar requests back in far less time.

Also please explain why this was not communicated to me earlier in accordance with the law.

Aaron

PlainSite | <https://www.plainsite.org>

On Oct 14, 2021, at 12:07 PM, Hyde-Michaels, Carrie <hyde-michaelsc@SEC.GOV> wrote:

Good afternoon Mr. Greenspan,

I have reviewed the file for 21-00677-FOIA and confirmed that your request is actively being processed. The search is complete, the records have been received, and we are in the process of reviewing the records for responsiveness and potential disclosure. We apologize that it is taking longer than anticipated to complete processing this request. We have an intensive review process that in this case requires consultations with multiple other offices.

Our current **estimated completion date** is **December 31, 2021**, although please be advised that that date is our best current estimate. There are multiple factors outside of our control that may affect the review process, including the consultation process. However, it appears that we may be able to make interim releases to you on a rolling basis as the review of records is completed. We will work towards issuing an **interim response** to you by **November 12, 2021**.

We apologize for the delay and that this is taking longer than anticipated. Please feel free to reach out any time you have a question regarding the status of this request.

Thank you,
Carrie Hyde-Michaels
FOIA Branch Chief
U.S. Securities and Exchange Commission
Office of FOIA Services
hyde-michaelsc@sec.gov
Direct: (202) 551-5816

From: Hyde-Michaels, Carrie
Sent: Wednesday, October 13, 2021 4:08 PM
To: 'Aaron Greenspan' <aaron.greenspan@plainsite.org>
Cc: Rollins, Carl <RollinsC@sec.gov>; Santos, Adrienne <SantosAd@SEC.GOV>; McInerney, Raymond <McInerneyR@SEC.GOV>
Subject: RE: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

Mr. Greenspan,

I have received your message. I am the designated contact today, but I am here all week. Please allow me one day to look into the current status this request, and I will provide you with our response regarding an estimated completion date tomorrow.

Thank you,
Carrie Hyde-Michaels
FOIA Branch Chief
U.S. Securities and Exchange Commission
Office of FOIA Services
hyde-michaelsc@sec.gov
Direct: (202) 551-5816

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Wednesday, October 13, 2021 3:43 PM
To: Hyde-Michaels, Carrie <hyde-michaelsc@SEC.GOV>
Subject: Fwd: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hyde-Michaels,

Given that everyone involved here seems to be out of the office and you are listed as the designated contact for today, please advise.

Aaron

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Begin forwarded message:

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Subject: Re: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA
Date: October 13, 2021 at 12:40:08 PM PDT
To: Raymond McInerney <mcinerneyr@sec.gov>
Cc: Adrienne Santos <santosad@sec.gov>, Carl Rollins <rollinsc@sec.gov>

Mr. McInerney,

You provided me this status update over three months ago. Since then I have heard precisely nothing about the status of Request No. 21-00677-FOIA. This is yet another violation of the FOIA statute by you and your office concerning a request that has now been pending for nine months.

You are obligated by law to provide me with a status update containing a specific date by which you expect the request will be complete. Please comply.

Aaron

PlainSite | <https://www.plainsite.org>

On Aug 6, 2021, at 3:02 PM, McInerney, Raymond
<McInerneyR@SEC.GOV> wrote:

Dear Mr. Greenspan,

It was a pleasure speaking with you this afternoon. Per our discussion, there are approximately 3,761 pages of e-mail records that may be responsive to FOIA Request No. 21-00677-FOIA, in which you asked for “all e-mails to or from any [sec.gov](https://www.sec.gov) e-mail address and Bradley Bondi (bbondi@cahill.com) or his assistant(s) on his behalf from January 1, 2020 - Present.”

By letter dated May 5, 2021, we advised you that your request qualified for placement in our Complex track due to the volume of potentially responsive e-mail records we identified. We also gave you the opportunity to narrow your request to avoid placement in the Complex track. In an email dated May 5, 2021, you asked us to “handle the first 32 hours of this request on the simple track and the rest on the complex track.” As discussed, we will process your request accordingly.

With regard to Request No. 21-00074-REMD (originally submitted as Request No. 20-01538-FOIA), you should expect to receive a partial response early next week. This request seeks any “e-mail or other written communication to or from any SEC employee and Elon Musk personally, counsel for Tesla, Inc., and/or counsel for Elon Musk” from July 16, 2019 through May 27, 2020.

Please feel free to contact me directly with any questions or concerns you have regarding any of your requests. I will be out of the office next week (August 9-13), but one of the Branch Chiefs will be able to assist you in my absence.

Kind regards,
Ray

Ray McInerney
FOIA Officer
Office of FOIA Services
U.S. Securities and Exchange Commission
202-551-6249

Re: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

Aaron Greenspan <aaron.greenspan@plainsite.org>

Wed, Dec 22, 2021 at 10:09 AM

To: Adrienne Santos <santosad@sec.gov>

Cc: Carl Rollins <RollinsC@sec.gov>, Raymond McInerney <McInerneyR@sec.gov>, Lizzette Katilius <KatiliusL@sec.gov>, Carrie Hyde-Michaels <hyde-michaelsc@sec.gov>, Rachel Eun <eun@loevy.com>, Matt Topic <matt@loevy.com>

Ms. Santos,

I do not wish to narrow the request and therefore I do not concur with your suggestion. I am interested in **all e-mails** involving Bradley Bondi during the applicable timeframe, as I stated in the original request.

My reference to Bondi's assistant(s) would be informed by the contents of the messages, which thus far you have not provided, again, despite waiting for a year.

Thank you,

Aaron

PlainSite | <https://www.plainsite.org>

On Dec 22, 2021, at 8:00 AM, Santos, Adrienne <SantosAd@SEC.GOV> wrote:

Mr. Greenspan,

In your initial FOIA request, you requested "all emails to or from any [sec.gov](https://www.sec.gov) email address and Bradley Bondi (bbondi@cahil.com) or his assistant(s) on his behalf from January 1, 2020 – Present." After consulting with the program office, the FOIA Office was advised that your request is overly broad, and yielded results that is taking a significant amount of time to review. Because you have historically been interested in records relating to "Tesla" and "Elon Musk" we ask if you concur with narrowing the scope of your request to **"emails to/from SEC staff and Bradley Bondi bbondi@cahill.com containing the subject matter "Musk" or "Tesla" in the context of the emails, with the current timeframe of 1/1/20 to present."** Limiting your request to only Musk/Tesla subject matter will also alleviate b7A concerns around other active ENF matters where Bondi may be acting as counsel. Also, please note that we were unable to conduct a search for Bondi's assistants as you did not identify them by name and/or email address in your initial request. However, you may submit a new request providing the names and/or email addresses for Bondi's assistants, at any time.

We ask that you respond to this email as soon as possible with your concurrence. Again, we do regret this delay and appreciate you working with us.

R,

Adrienne M. Santos
FOIA Branch Manager
Office of FOIA Services
US Securities and Exchange Commission
100 F. Street, NE
Washington, DC 20549-2465

From: Aaron Greenspan <aaron.greenspan@plainsite.org>**Sent:** Sunday, December 12, 2021 1:34 AM**To:** Santos, Adrienne <SantosAd@SEC.GOV>**Cc:** Rollins, Carl <RollinsC@SEC.GOV>; McInerney, Raymond <McInerneyR@SEC.GOV>; Katilius, Lizzette

<KatiliusL@SEC.GOV>; Hyde-Michaels, Carrie <hyde-michaelsc@SEC.GOV>; Rachel Eun <eun@loevy.com>;
Matt Topic <matt@loevy.com>

Subject: Re: 21-00677-FOIA - Bradley Bondi - E-mails - Estimate Letter - 21-00677-FOIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Santos,

Can you please confirm that the estimated completion date for Request No. 21-00677-FOIA is still December 31, 2021? Even though you stated "we are working to provide a partial release to you soon" a month ago, I have received nothing.

Thank you,

Aaron

PlainSite | <https://www.plainsite.org>

On Nov 12, 2021, at 12:53 PM, Santos, Adrienne <SantosAd@SEC.GOV> wrote:

Mr. Greenspan,

I am following up and providing a status update to your pending FOIA Request 21-00677-FOIA. We were hoping to make a partial release to you today, but unfortunately we won't be able to do so as all necessary consultations and reviews have not been completed. As Carrie Hyde-Michaels previously advised you, there are multiple factors outside of our control that may affect the review process, including the consultation process. However, please note that we are working to provide a partial release to you soon, once all reviews and consultations are completed. Our current **estimated completion date** is still **December 31, 2021**, although this date is our best current estimate and subject to change.

We do regret this delay and appreciate your patience.

Adrienne M. Santos
FOIA Branch Manager
Office of FOIA Services
US Securities and Exchange Commission
100 F. Street, NE
Washington, DC 20549-2465



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

October 06, 2021

Mr. Aaron Greenspan
PlainSite
956 Carolina Street
San Francisco, CA 94107

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **22-00028-FOIA**

Dear Mr. Greenspan:

This letter is an acknowledgment of your FOIA request dated and received in this office on October 04, 2021, for records regarding <https://www.sec.gov/robots.txt> Line 89.

Your request has been assigned tracking number 22-00028-FOIA. Your request will be assigned to a Research Specialist for processing and you will be notified of the findings as soon as possible. If you do not receive a response after thirty business days from when we received your request, you have the right to seek dispute resolution services from an SEC FOIA Public Liaison or the Office of Government Information Services (OGIS). A list of SEC FOIA Public Liaisons can be found on our agency website at <https://www.sec.gov/oso/contact/foia-contact.html>. OGIS can be reached at 1-877-684-6448 or [Archives.gov](https://www.archives.gov) or via email at ogis@nara.gov.

In the interim, if you have any questions about your request, you may contact this office by calling (202) 551-7900, or sending an e-mail to foiapa@sec.gov. Please refer to your tracking number when contacting us.

For additional information, please visit our website at www.sec.gov and follow the FOIA link at the bottom.

Sincerely,

Office of FOIA Services

UNITED STATES
SECURITIES AND EXCHANGE COMMISSIONSTATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Exhibit 8

Office of FOIA Services

November 30, 2021

Mr. Aaron Greenspan
PlainSite
956 Carolina Street
San Francisco, CA 94107

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **22-00028-FOIA**

Dear Mr. Greenspan:

This letter is in reference to your request, dated and received in this office on October 4, 2021, for "e-mail messages, including but not limited to those within the SEC Office of Information Technology, concerning the inclusion of line 89 in the <https://www.sec.gov/robots.txt> file, which reads: Disallow: /additional-resources/news-alerts/press-releases/elon-musk-charged-securities-fraud-misleading-tweets" from July 1, 2018 to the present. Reference is also made to our letter dated October 6, 2021, in which we addressed your requests for expedited processing and a fee waiver.

We will be unable to respond to your request within the Freedom of Information Act's twenty day statutory time period, as there are unusual circumstances which impact on our ability to quickly process your request. Therefore, we are invoking the 10 day extension. These unusual circumstances are: (a) the need to search for and collect records from an organization geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other offices having a substantial interest in either the determination or the subject matter of the records. For these reasons, we will process your case consistent with the order in which we received your request.

We have identified approximately 4.49 gigabytes (equivalent to approximately 269,400 pages or 107.8 boxes¹) of emails that may be responsive to your request. Under the FOIA, you are considered a "Media Use" requester. As such, all search and review services are free of charge to you.

¹ Please note that estimating the page/box equivalent of electronic data is not a precise measurement; consequently, the exact number of pages/boxes may be more or less than estimated here. Also, the search results may have yielded several falsehits, which we cannot determine until we begin our review of the records.

Mr. Aaron Greenspan
November 30, 2021
Page 2

22-00028-FOIA

We typically estimate that it will take a staff member one (1) hour to review approximately 50 pages of email records. Therefore, our preliminary estimate at this point to review the emails for responsiveness and releasability under the FOIA is approximately 5,388 hours.

Since the records are voluminous, if requested, we would process them in our Complex track. Under 5 U.S.C. § 552(b)(6)(D)(i) agencies may provide for multi-track processing of requests for records based on the amount of work or time (or both) involved in processing requests. The SEC's regulation implementing multi-track processing is located at 17 CFR § 200.80(d)(4).

At present we anticipate that it may take thirty-six months or more before we can begin to process a request placed in our Complex track.

If you are interested in having us place your request in our Complex track, please write by **December 14, 2021** and identify the records of interest to you.

If you have any questions, or if you would like to discuss ways in which you can narrow the scope of your request to possibly avoid placement in our Complex track, please contact me at mandicf@sec.gov. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,



Frank Mandic
FOIA Research Specialist

Enclosure

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.

Fwd: Request No. 22-00028-FOIA

Begin forwarded message:

From: "Katilius, Lizzette" <KatiliusL@SEC.GOV>
Subject: RE: Request No. 22-00028-FOIA
Date: January 14, 2022 at 11:21:55 AM PST
To: Aaron Greenspan <aaron.greenspan@plainsite.org>
Cc: "Mandic, Frank" <MandicF@SEC.GOV>, "Katilius, Lizzette" <KatiliusL@SEC.GOV>

Mr. Greenspan, we anticipate sending the response to your request by January 21, 2022.

Thank you,
Lizzette

Lizzette Katilius
U.S. Securities and Exchange Commission
Office of FOIA Services, Branch Chief
202-551-7910
<https://www.sec.gov/page/foia>

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Wednesday, January 12, 2022 6:05 PM
To: Katilius, Lizzette <KatiliusL@SEC.GOV>
Cc: Matt Topic <matt@loevy.com>; Rachel Eun <eun@loevy.com>; Mandic, Frank <MandicF@SEC.GOV>
Subject: Re: Request No. 22-00028-FOIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Katilius,

Pursuant to 5 U.S.C. § 552(a)(7)(B)(ii), I request an estimated date of completion for Request No. 22-00028-FOIA.

Thank you,

Aaron

PlainSite | <https://www.plainsite.org>

On Dec 13, 2021, at 4:21 AM, Katilius, Lizzette <KatiliusL@SEC.GOV> wrote:

Hello Mr. Greenspan, we did query the program office but have not heard back yet. We will follow up with them again this morning.

Thank you,
Lizzette

Lizzette Katilius
U.S. Securities and Exchange Commission
Office of FOIA Services, Branch Chief
202-551-7910
<https://www.sec.gov/page/foia>

From: Aaron Greenspan <aaron.greenspan@plainsite.org>
Sent: Friday, December 10, 2021 7:50 PM
To: Katilius, Lizzette <KatiliusL@SEC.GOV>
Cc: Matt Topic <matt@loevy.com>; Rachel Eun <eun@loevy.com>
Subject: Request No. 22-00028-FOIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Katilius,

Earlier this week when I called, you said you would check in with OIT to find out whether they can search based on the parameters I provided. Were you able to get in touch with them?

Thanks,

Aaron

PlainSite | <https://www.plainsite.org>

Begin forwarded message:

From: Aaron Greenspan <aaron.greenspan@plainsite.org>

Subject: Re: 22-00028-FOIA Complex Track Estimate Media - 22-00028-FOIA

Date: November 30, 2021 at 1:08:45 PM PST

To: Frank Mandic <mandicf@sec.gov>

Mr. Mandic,

I'm not sure what kind of search you performed but this doesn't make any sense. There could not possibly be this much e-mail traffic concerning one line in one file that is probably maintained by one person in OIT.

I would like to narrow the search to the e-mail inbox and sent messages for whomever in OIT was and/or is responsible for maintaining the SEC's robots.txt file.

Please advise.

Thank you,

Aaron

PlainSite | <https://www.plainsite.org>

On Nov 30, 2021, at 1:04 PM, <mandicf@sec.gov>
<mandicf@sec.gov> wrote:

<22-00028-FOIA Complex Track Estimate Media.pdf>