

INTERNATIONAL LAW | CRIMINAL DEFENSE | HUMAN RIGHTS

THE CASTANEDA LAW FIRM PLLC

REBECCA L. CASTANEDA, ESQUIRE

Appeals Officer, Appeals Review Panel
Office of Information Programs and Services (IPS)
U.S. Department of State
A/GIS/IPS/PP/LA, Room 5420 (HST)
2201 C Street
Washington, DC 20520

November 14, 2019

Re: FOIA and Privacy Act Request Appeal- Mr. Matthew Justin Pittard in/and/or around Doha, Qatar on/about July/July 2018

Dear Sir or Madam:

Per your protocol and request, and pursuant to the Freedom of Information Act, 22 CF §171.11, and the Privacy Act, 22 CFR §171.22, on August 12, 2019, I requested information about my client, Mr. Matthew Justin Pittard, and events that occurred on or about June and July of 2018 in Doha, Qatar. I submitted this request electronically and via hard copy via certified mail; my electronic request was unacknowledged; the hard copy via mail was acknowledged.

Department of State sent a response to my request, dated August 14, 2019, and was assigned tracking number F-2019-08718, and stamped "received August (illegible) 2019. In part, it stated:

The records you seek require the need to search in offices that are separate from the office processing your request. Accordingly, your request falls within "unusual circumstances" as defined in FOIA. See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request **beyond the ten additional days provided by statute.**

The time needed to complete our work on your request will necessarily depend on a variety of factors including the **number of locations that must be searched, the complexity of the search, the volume and complexity of any material located, and consultations with other U.S. Government agencies** whose information is included in the material located. The time needed will also depend on the **number of other requests ahead of it in the relevant processing track.**

This Office assigns incoming requests to one of three tracks: simple, complex, or expedited. **Each request is then handled on a first-in, first-out basis in relation to other requests in the same track.** Your request has been assigned to the complex track and **will be handled as quickly as possible.**

Multiple phone calls throughout the months of August, September, and October to the FOIA Requester Service Center / FOIA Public Liaison at (202) 261-8484 were met with, "I don't see anything in the file," and "I will call you or email you with an expected timeline for response," to which no phone calls or emails were received until October 18, 2019.

On October 18, 2019, via email FOIAStatus@state.gov, Department of State provided an estimated date of completion to my request as June 30, 2021, and stated, "Please be advised that the Department takes its FOIA responsibilities seriously and is processing your request **as quickly as possible.**"

Prior to my making the August 12, 2019 FOIA and Privacy Act requests, my investigator contacted the United States Embassy in Doha via email at ACSDooha@state.gov on June 4, 2019, stating, "I am investigating the events surrounding some Americans that were kidnapped and an attempted kidnapping, in July of 2018, related to Sheikh Khalid bin Hamad bin Khalifa Al Thani. If you can provide any documentation or facts related to these events, please contact me via email."

The United States Embassy stated in response, on June 17, 2019, "Thank you for your email. Please be aware that U.S. law requires us to obtain written consent before releasing any information about U.S. citizens over the age of 18 to third parties. This means that if the person you are inquiring about does not agree in writing to the release of information about his case, we cannot release that information to you."

In accordance with the United States Embassy's statement that "written consent" of the "person inquired" must be provided with such a request, on July 11, 2019, I sent a request for information via email at ACSDooha@state.gov to the United States Embassy in Doha. My request included almost identical information as the FOIA and Privacy request acknowledged by Department of State in August of 2019.

On July 25, 2019, I received an email response from Carol Farrand via FarrandCE@state.gov, ccing Ask-OCS-L@state.gov, and ACSDooha@state.gov, stating:

Please see 22 CFR Part 171, Subparts A, B, and C, in particular, with respect to perfecting a third party request as the legal representative of the subject of the record, see 22 CFR 171.22 (a)-(c) and (e)(3). With respect to a request for records pertaining to an individual other than your client, this would normally be a FOIA request, but you may also submit a properly authorized third party request (with the result of being treated as a first party for processing purposes) under the Privacy Act, see 22 CFR 171.11(n)(3)(iv).

Prior to my requests, my client requested information regarding information regarding these events on February 11, 2019, April 22, 2019 and May 9, 2019. He, in contrast, was not met with any response such as the ones that my investigator and I received.

It is obvious that the United States Embassy in Doha, employees within the United States Embassy in Doha, and the United States Department of State in Washington, DC, have awareness and knowledge of the events surrounding my client's time in Doha, Qatar and the basis for the request, and have been reminded of such events on February 11, 2019, April 22, 2019, May 9, 2019, June 17, 2019, July 11, 2019, August 14, 2019, and throughout the months of August, September, and October 2019.

Department of State's estimated date of completion of June 30, 2021 for my FOIA request is deemed non-responsive, and is actionable grounds for suit, which will be filed in the Middle District of Florida on or about December 16, 2019, should my request go unanswered. Mr. Pittard has the statutory right to the requested records and/or information and there is no legal basis for a two year delay, and no legal basis for refusal to timely disclose said records and/or information to Mr. Pittard.

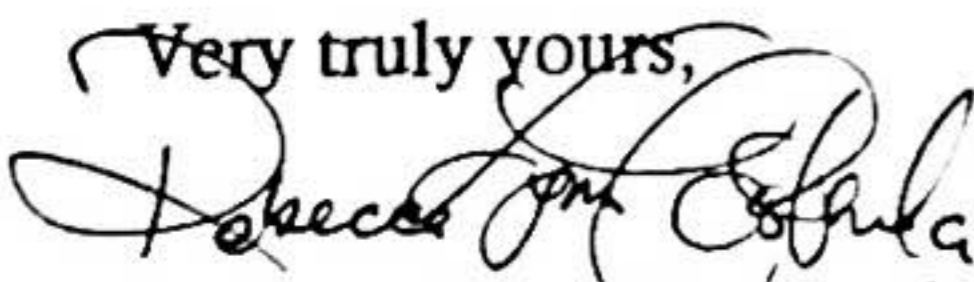
Also, I have included a copy of a portion of a deposition taken in my client's case, where the deponent states that the Government of Qatar pays off United States Embassy employees in Doha, Qatar, to ignore FOIA requests, including the current one you are reading.

Please advise if further information is necessary to process this request. Thank you for your time and consideration.

I state under penalty of perjury that the foregoing is true and correct.

Executed on November 14, 2019.

Very truly yours,



Rebecca Lynn Castaneda

Enclosures

Email Request dtd February 11, 2019

Email Request dtd April 22, 2019

Email Request dtd May 9, 2019

Email Request dtd June 4, 2019 w/ US Embassy Doha response dtd June 17, 2019

Email Request to US Embassy dtd July 11, 2019 w/ formal letter and authorization

Email US Embassy Doha response dtd July 25, 2019

Department of State FOIA Response dtd August 14, 2019

Copy of Deposition Transcript Excerpt

----- Forwarded message -----

From: **M Pittard** <[REDACTED]@gmail.com>

Date: Mon, Feb 11, 2019 at 9:14 AM

Subject: Doha Incident Ramez Tohme/Matthew Pittard Followup

To: <ACSDoha@state.gov>

I am trying to get contact information for the lady that came out and assisted us in an incident last July in Doha, I believe her name was Laura. She is the ACS Chief. Also the RSO Sales his full name and contact information.

S/F,

Matthew J. Pittard

----- Forwarded message -----

From: M Pittard <[REDACTED]@gmail.com>

Date: Mon, Apr 22, 2019 at 2:45 PM

Subject: Information 2nd Request

To: <ACSDoha@state.gov>

Trying to find out the ACS Chief's name and the RSO that were on post last year in July during an incident that occurred in Doha July of 2018. This is my second request.

Incident involved Sheikh Khalid bin Hamad bin Khalifa Al Thani holding an American against his will. Ramez Tohme and Matthew Pittard were the two American involved. ACS Chief is a female and the RSO was Sales. Need full name and contact info.

S/F,

Matthew J. Pittard

----- Forwarded message -----

From: M Pittard <[REDACTED]@gmail.com>

Date: Thu, May 9, 2019 at 9:21 AM

Subject: July 2018 Events Doha US Citizens

To: <acsdooha@state.gov>

This is my 4th email in attempt to get in touch with the ACS Chief and RSO Sales about an event that occurred in July of 2018. I may be reached at this email address or via phone at [REDACTED]

I have trying to reach the ACS Chief I believe is was Elizabeth Marker at the time and Acting RSO (Last name Sales) whom I was in constant communication with and came to the Onaiza Police Station. Please contact me at your earliest otherwise I will have to go through the DC Office.

S/F,

Matthew J. Pittard

----- Forwarded message -----

From: ACS DOHA <ACSDoha@state.gov>

Date: Mon, Jun 17, 2019 at 1:34 AM

Subject: RE: information

To: Scott Schoonover <[REDACTED]>

Dear Mr. Schoonover,

Thank you for your email. Please be aware that U.S. law requires us to obtain written consent before releasing any information about U.S. citizens over the age of 18 to third parties. This means that if the person you are inquiring about does not agree in writing to the release of information about his case, we cannot release that information to you.

Best Regards,

American Citizen Services (ACS) Unit

Consular Section

U.S. Embassy, Doha

qa.usembassy.gov

[Facebook](#) | [YouTube](#) | [Twitter](#)

From: Scott Schoonover <[REDACTED]>

Sent: Tuesday, June 04, 2019 9:52 PM

To: ACS DOHA <ACSDoha@state.gov>

Subject: information

I am investigating the events surrounding some Americans that were kidnapped and an attempted kidnapping, in July of 2018, related to Sheikh Khalid bin Hamad bin Khalifa Al Thani. If you can provide any documentation or facts related to these events, please contact me via email.

—

Regards,

Scott Schoonover

Skyway Global Consulting, LLC

—

Regards,

Scott Schoonover

Skyway Global Consulting, LLC

Subject: Release of information
Date: Thursday, July 11, 2019 at 8:03:43 PM Eastern Daylight Time
From: Rebecca Castaneda
To: acsdoha@state.gov
Attachments: Request to US Embassy in Qatar.pdf, image001.png, image002.png, image003.png, image004.png

Good evening,
Please find attached a signed request and authorization for information related to Matthew Pittard and events that occurred in Doha, Qatar in July of 2018.

Thank you-

Regards,
Rebecca L. Castaneda



Rebecca L. Castaneda • Attorney
The Castaneda Law Firm PLLC
c US +1 (813) 708-8864 | e rc@attorneyrebeccacastaneda.com
www.attorneyrebeccacastaneda.com | 506 N. Armenia Avenue
Tampa, Florida 33609-1703



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INTERNATIONAL LAW | CRIMINAL DEFENSE

THE CASTANEDA LAW FIRM PLLC

REBECCA L. CASTANEDA, ESQUIRE

American Citizen Services (ACS) Unit
Consular Section
U.S. Embassy, Doha

July 10, 2019

Re: Mr. Matthew Pittard

Dear Sir or Madam:

Per your protocol and request, please find attached written consent from my client, Mr. Matthew Pittard, to release information about him and events that occurred on or about June and July of 2018 in Doha, Qatar.

Mr. Pittard is an American citizen who is over the age of eighteen; his date of birth is

Mr. Pittard was involved in the aid and rescue of Ramez Tohme, an American citizen, on or around July 7-10, 2018, who had been held against his will by His Excellency Sheikh Khalid bin Hamad bin Khalifa Al Thani, and/or his associates and/or colleagues. Thereafter, Mr. Pittard attempted to evade being kidnapped and killed by the same individual(s) on or about July 7-10, 2018.

Shortly before this date, Mr. Pittard contacted the U.S. Embassy regarding the safety and security of he and Mr. Thome, seeking advice and assistance in safely remaining in and exiting the country.

Mr. Pittard communicated on numerous occasions during the months of June and July 2018 with the ACS Chief, the acting RSO, and Marine Security Guard Post 1 during this time period.

I have been retained by Mr. Pittard to represent him in legal actions related to this event, and respectfully request records, reports, and any and all information involving Mr. Pittard and these events. Mr. Pittard has requested this information on numerous occasions (February 11, 2019; April 22, 2019; May 9, 2019), and to date, has received no response.

Please advise if further information is necessary to process this request. Thank you for your time and consideration.

Very truly yours,

Rebecca L. Castaneda

Rebecca L. Castaneda

Enc.: Authorization

Tel. (813) 708-8864

WhatsApp (857) 334-1880

506 N. Armenia Avenue
Tampa, FL 33609-1703

Licensed in NY, MA & FL
rc@attorneyrebeccacastaneda.com

Matthew Pittard
[REDACTED]

July 10, 2019

American Citizen Services (ACS) Unit
Consular Section
U.S. Embassy, Doha

Re: My Authorization and Consent

To Whom It May Concern:

I hereby provide my authorization and consent to any and all information about me, and the circumstances surrounding the false imprisonment of Ramez Tohme and the subsequent threats to my life as relayed to Mr. Sales, during the months of June and July of 2018, being disclosed to my retained counsel, Rebecca Castaneda, in accordance with her request.

I am an American citizen. I am over the age of eighteen. My date of birth is [REDACTED]

Thank you.

Sincerely,



Matthew Pittard

Subject: RE: Release of information
Date: Thursday, July 25, 2019 at 2:47:05 PM Eastern Daylight Time
From: Farrand, Carol E
To: 'Rebecca Castaneda'
CC: Ask-OCS-L, ACS DOHA
Attachments: image001.png, image002.png, image003.png, image004.png

Dear Ms. Castaneda:

Please see 22 CFR Part 171, Subparts A, B, and C, in particular, with respect to perfecting a third party request as the legal representative of the subject of the record, see 22 CFR 171.22 (a)-(c) and (e)(3). With respect to a request for records pertaining to an individual other than your client, this would normally be a FOIA request, but you may also submit a properly authorized third party request (with the result of being treated as a first party for processing purposes) under the Privacy Act, see 22 CFR 171.11(n)(3)(iv).

You may find additional information on the U.S. Department of State FOIA site, [Information Access Guide](#).

Sincerely,

U.S. Department of State
Bureau of Consular Affairs
Overseas Citizens Services
Office of Legal Affairs

From: Rebecca Castaneda <rc@attorneyrebeccacastaneda.com>
Sent: Friday, July 12, 2019 3:04 AM
To: ACS DOHA <ACSDoha@state.gov>
Subject: Release of information

Good evening,
Please find attached a signed request and authorization for information related to Matthew Pittard and events that occurred in Doha, Qatar in July of 2018.

Thank you-

Regards,
Rebecca L. Castaneda



Rebecca L. Castaneda • Attorney

The Castaneda Law Firm PLLC

c US +1 (813) 708-8864 | e rc@attorneyrebeccacastaneda.com

www.attorneyrebeccacastaneda.com | 506 N. Armenia Avenue

Tampa, Florida 33609-1703



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This email is UNCLASSIFIED.



United States Department of State

Washington, D.C. 20520

AUG 14 2019

F-2019-08718

Rebecca Castaneda, Esq.
The Castaneda Law Firm
506 N. Armenia Avenue
Tampa, FL 33609

RECEIVED AUG 17 2019

Dear Ms. Castaneda:

This letter is to acknowledge receipt of your request dated August 12, 2019, submitted to the Department of State, in which you requested records related to Matthew Justin Pittard and the events that occurred in Doha, Qatar around June and July of 2018. Please be advised that your request will be processed pursuant to both the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Privacy Act (PA), 5 U.S.C. § 552a, to provide you with the greatest access to the information you are requesting.

The Office of Information Programs and Services (IPS) received your FOIA request on August 12, 2019. Your FOIA request was assigned the tracking number at the top of this letter. Please include the tracking number in all future communications concerning this FOIA request. We have classified you as an other-use requester.

The records you seek require the need to search in offices that are separate from the office processing your request. Accordingly, your request falls within "unusual circumstances" as defined in the FOIA. See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request beyond the ten additional days provided by the statute.

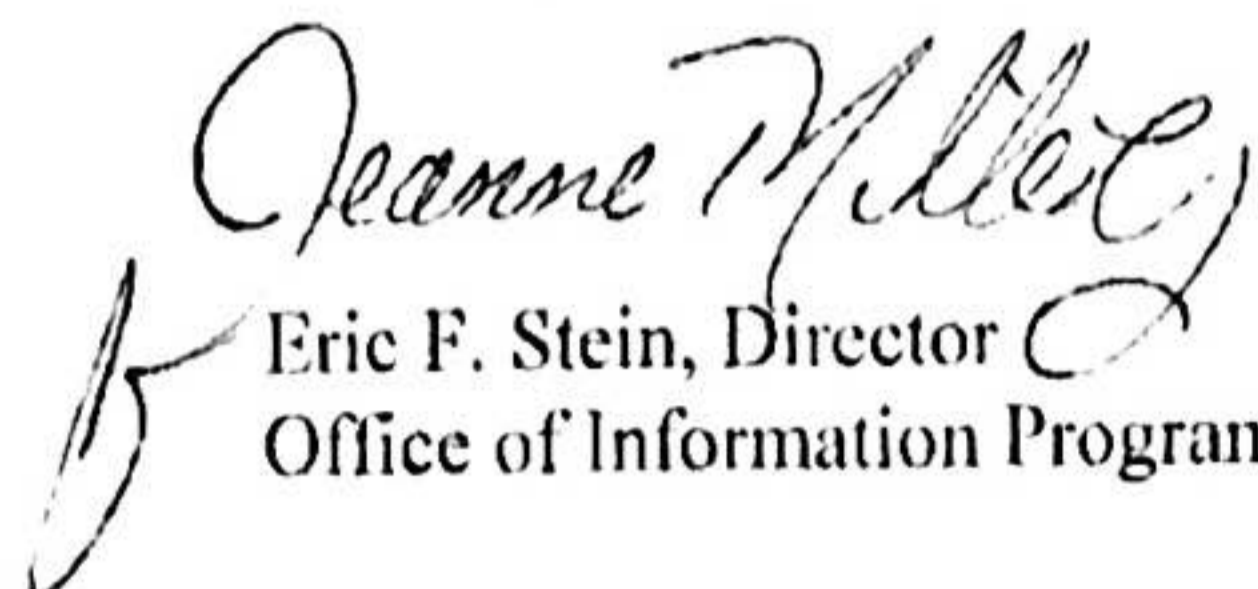
The time needed to complete our work on your request will necessarily depend on a variety of factors including the number of locations that must be searched, the complexity of the search, the volume and complexity of any material located, and consultations with other U.S. Government agencies whose information is included in the material located. The time needed will also depend on the number of other requests ahead of it in the relevant processing track.

This Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Your request has been assigned to the complex track and will be handled as quickly as possible.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you wish to discuss narrowing of your request or an alternative time frame for the processing of your request, or if you have any questions regarding the status of your request, you may contact our FOIA Requester Service Center or our FOIA Public Liaison via email at FOIAstatus@state.gov or telephone at (202) 261-8484.

Lastly, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email address: ogis@nara.gov; telephone: (202) 741-5770; toll free number: 1-877-684-6448; facsimile: (202) 741-5769.

Sincerely,


Eric F. Stein, Director
Office of Information Programs and Services

Subject: Case Control Number F-2019-08718.
Date: Friday, October 18, 2019 at 3:04:41 PM Eastern Daylight Time
From: FOIA Status
To: rc@attorneyrebeccacastaneda.com

Ms. Castaneda,

You previously contacted the Department of State's FOIA Requester Service Center and requested an estimated date of completion (EDC) for your request, Case Control Number F-2019-08718.

It has been determined that the EDC for this request is June 30, 2021. EDCs are estimates and are subject to change. Please be advised that the Department takes its FOIA responsibilities seriously and is processing your request as quickly as possible. If your request can be completed prior to the EDC, a response will be sent to you sooner.

If you have any concerns or questions regarding a FOIA-related matter, please contact the FOIA Requester Service Center (FRSC) at 202-261-8484 or send an e-mail to foiastatus@state.gov.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email address: ogis@nara.gov; telephone: (202) 741-5770; toll free number: 1-877-684-6448; facsimile: (202) 741-5769.

We appreciate your continued patience.

Sincerely,

U.S. Department of State
FOIA Requester Service Center

UNCLASSIFIED