

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

GEORGE MICHAEL DOLENZ, JR¹

Plaintiff,

v.

DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Defendant.

Civil Action No. 22-2601

* * * * *

COMPLAINT

This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, et seq., as amended, and Privacy Act (“PA”), 5 U.S.C. § 552a, et seq., as amended, seeking release of records responsive to a request submitted to the Federal Bureau of Investigation, which is a component of the Defendant Department of Justice concerning the renowned and beloved rock band The Monkees and its individual four members. It is brought by the sole surviving member of the group George Michael Dolenz, Jr., otherwise known to everyone as “Micky Dolenz”.

JURISDICTION

1. This Court has both subject matter jurisdiction over this action and personal jurisdiction over the defendant pursuant to 5 U.S.C. § 552(a)(4)(B), § 552a(d)(1), (g)(1)(B), (g)(3)(A) and 28 U.S.C. § 1331.

¹ Pursuant to LCvR 5.1(c)(1), as revised March 23, 2022, the Plaintiff’s home address is being filed under seal with the Court in a separate Notice of Filing.

VENUE

2. Venue is appropriate under 5 U.S.C. § 552(a)(4)(B), § 552a(g)(5) and 28 U.S.C. § 1391.

PARTIES

3. Plaintiff George Michael Dolenz, Jr., otherwise known as “Micky Dolenz” (“Dolenz”), is a well-known music performer and television and movie actor. Mr. Dolenz has the ability to disseminate information on a wide scale and may use information obtained through his request in an original work, particularly an independent film, documentary or book. He frequently tours around the world performing and is often a guest on radio and television programs. Based on established criteria, Mr. Dolenz qualifies for designation as a representative of the news media.

4. Defendant Department of Justice (“DOJ”) is an agency within the meaning of 5 U.S.C. § 552(f) and 5 U.S.C. § 552a(a)(1) and is in possession and/or control of the requested records that are the subject of this action. DOJ controls – and consequently serves as the proper party defendant for litigation purposes for – the Federal Bureau of Investigation (“FBI”).

FACTUAL BACKGROUND

5. The Monkees was/is a rock and pop band formed in Los Angeles in 1966. The members consisted of the Plaintiff Micky Dolenz, Michael Nesmith (1942-2021), Peter Tork (1942-2019) and Davy Jones (1945-2012). The group was conceived for a situation television comedy series of the same name. Music credited to the band was released on LP, as well as being included in the show, which aired from 1966 to 1968. The Monkees was one of the most successful bands of the 1960s and sold more than 75

million records worldwide making them one of the biggest-selling groups of all time with numerous international hits, including “Last Train to Clarksville”, “I’m a Believer”, “A Little Bit Me, a Little Bit You”, “Pleasant Valley Sunday”, and “Daydream Believer”, to name just a few. They had four chart-topping albums. Additional biographical information can be found, and is incorporated herein, at https://en.wikipedia.org/wiki/The_Monkees (last accessed August 30, 2022).

6. The individual members of the Monkees, both in their own right and as a group, were known to have associated with other musicians and individuals whose activities were monitored and/or investigated by the FBI to include, but not limited to: John Winston Lennon (and the three other Beatles as well) and Jimi Hendrix.

7. In fact, the FBI acknowledges on its website that it maintains responsive records regarding the Monkees, including information that continues to be withheld. It describes seven pages as follows:

The Monkees were a U.S. pop band created for a television show of the same name in 1966. The band also toured and made record albums even after the show was cancelled. References to the band appear in two places in FBI files: a 1967 Los Angeles Field Office memorandum on anti-Vietnam war activities and a second document redacted entirely.

See <https://vault.fbi.gov/the-monkees>.

8. This lawsuit is designed to obtain any records the FBI created and/or possesses on the Monkees as well as its individual members (with all records concerning the deceased members processed pursuant to FOIA and with respect to Mr. Dolenz under both PA and FOIA).

COUNT ONE (DOJ/FBI)

9. Mr. Dolenz repeats and realleges paragraphs 5 through 8 above, inclusive.

10. Mr. Dolenz, through his undersigned counsel, electronically submitted his FOIA/PA request to the Federal Bureau of Investigation on June 14, 2022. Biographical information was provided on each of the members, including proof of death where applicable, and on the group itself. The FBI was provided with relevant search times to apply (as a starting, not ending, point), and was specifically directed to process all redacted information within the seven pages of records posted to its website, as well as tasked to search the following, but not limited to, files/systems as potentially containing responsive records: (1) 190-50909-11; (2) Bufile 100-138754; (3) Los Angeles File 100-15732; (4) New York File 100-50870; (5) Bureau (100-340922); (6) New York (100-80374); and (7) Los Angeles 100-19333.

11. The FBI electronically acknowledged receipt the same day as the submission and then by letter dated June 23, 2022. The request was assigned reference number 1550135-000.

12. No further responses have been received from the FBI.

13. Mr. Dolenz has exhausted all necessary required administrative remedies with respect to his FOIA/PA request.

14. Mr. Dolenz is entitled to timely receipt of non-exempt copies of all records responsive to his FOIA/PA request.

WHEREFORE, Plaintiff George Michael Dolenz, Jr. prays that this Court:

(1) Orders Defendant DOJ/FBI to disclose non-exempt copies of the requested records in their entirety and make copies promptly available to Mr. Dolenz;

- (2) Award reasonable costs and attorney's fees as provided in 5 U.S.C. § 552 (a)(4)(E), 5 U.S.C. § 552a(g)(3)B), and/or 28 U.S.C. § 2412 (d);
- (3) expedite this action in every way pursuant to 5 U.S.C. § 552(a)(6)(E)(1), 28 C.F.R. § 16.5(e)(1) (iii), (iv) and 28 U.S.C. § 1657 (a); and,
- (4) grant such other relief as the Court may deem just and proper.

Date: August 30, 2022

Respectfully submitted,

/s/Mark S. Zaid

Mark S. Zaid, Esq.
D.C. Bar #440532
Bradley P. Moss, Esq.
D.C. Bar #975905
Mark S. Zaid, P.C.
1250 Connecticut Avenue, N.W.
Suite 700
Washington, D.C. 20036
(202) 498-0011
(202) 330-5610 fax
Brad@MarkZaid.com
Mark@MarkZaid.com

Attorneys for Plaintiffs