

Complaint Exhibit P

**Subject:** RE: [URL Verdict: Neutral]Re: [Non-DoD Source] FOIA request  
**Date:** Tuesday, November 15, 2022 at 12:18:04 PM Eastern Standard Time  
**From:** USARMY West Point ID-Training Mailbox FOIA-PA  
**To:** Daniel Libit  
**Attachments:** ~WRD0001.jpg

Sir,

Good morning, I am just returning to the office and reviewing all of my emails hence the delay in my reply. I have determined that the previous sections listed (1, 3, and 4) in your request do fall under the purview of the FOIA office to research while section 2 belongs to the AWPAA and is subject to their response.

With regard to the email address, the individuals who are tasked with searching the databases are not at West Point as they are part of the Army's data at large and has to be tasked to a specific IT department to ascertain the correct individual for whom you are requesting records. I understand that one can assume, based on indicators described, of whose records you are requesting but to avoid any confusion a memorandum was sent to FOIA offices detailing how searches conducted.

If you have any questions or concerns, please let me know.

V/R,  
James J. Bradbury  
Management Assistant/FOIA Officer  
Installation Management Command  
Building 646, Room 1  
West Point ,NY  
DESK: 845-938-7313  
DSN: 688-7313  
HOURS: Monday-Friday 0800-1200 , 1300-1600

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**From:** Daniel Libit <djlubit@gmail.com>  
**Sent:** Wednesday, November 9, 2022 4:43 PM  
**To:** USARMY West Point ID-Training Mailbox FOIA-PA <usarmy.westpoint.id-training.mbx.foia-pa@army.mil>  
**Subject:** Re: [URL Verdict: Neutral]Re: [Non-DoD Source] FOIA request

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

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Mr. Bradbury,

I have already made a FOIA request for these records in the perfected form that you advise, and do not seek to further delay their production by resubmitting the exact same request.

I do not possess the email address for Lt. Gen. Williams, so I cannot provide that information to you. However, I believe it is fair to assume that this is information West Point's IT department could readily ascertain on its own, given that I have described with reasonable particularity the sender/recipient whose electronic communications I seek.

Based on your last message, it appears you have determined category Nos. 1, 3 and 4 from my Oct. 7 request are subject to FOIA, barring specific exemptions. As such, I ask that West Point produce, as soon as possible, the records that are responsive to this request and not otherwise exempt from the Act. For records West Point believes are exempt, I ask that you cite the specific FOIA exemption(s) you are relying on.

Thank you for your cooperation in this matter.

Best,

Daniel Libit

On Nov 9, 2022, at 8:01 AM, USARMY West Point ID-Training Mailbox FOIA-PA <usarmy.westpoint.id-training.mbx.foia-pa@army.mil < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil > > wrote:

Good morning Mr. Libit,

The acknowledgement of your FOIA request is within the 20 working-day timeline afforded under FOIA. As far as your request is concerned, you will have to separate your search (one for the federal gov,t. and one for AWPAA) into a FOIA and FOIL as AWPAA is a private entity and West Point garrison falls under the federal government, respectively.

The portions of your request that fall under the federal government are in the following bullet points

- 1. The most recent employment contract(s) for the following Army Athletics employees: Mike Buddie, COL Gretchen Nunez, Dan McCarthy, Kristine Fowler, Wen-Kang Chang, Gene McIntyre, John Nawoichyk, Andy Base, Tim Kelly, Scot Robson, Sydney Griffin, Kathy Mirance, Ben Russell, Mike Rubbino, Rudy Samir Aguilar, Randall Baglieri, Scott Dursley, Jason Foti, Tyler Harris, Chris Perry, Nick DeGennaro, Nancy Smith-Jennings, Jose Quezada, Christine Ramos, and George Ramus.
- 3. Any email communications, inclusive of attachments, sent to/from West Point Superintendent Lt. Gen. Darryl A. Williams, between Jan. 1, 2019 and June 1, 2019, which contains the search terms: "Buddie," "athletic director," or "athletics." Please exclude any emails received by Lt. Gen. Williams that are SPAM, from list servs or subscription servs.
- 4. Any emails, inclusive of attachments, sent to/from West Point Superintendent Lt. Gen. Darryl A. Williams and any sender or recipient with College Sports Associates, from Dec. 1, 2018 to June 1, 2019, which contains the search terms: "Buddie," "athletic director," or "athletics."

Please note that the request must clearly identify the target mailboxes by their army.mil address so that the IT department can reasonably filter the results to the correct individual whom you are requesting.

Please utilize the template sent in previous emails for a "perfected" request so that the FOIA office won't have to require additional clarification.

V/R,  
James J. Bradbury  
Management Assistant/FOIA Officer  
Installation Management Command  
Building 646, Room 1  
West Point ,NY  
DESK: 845-938-7313  
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**From:** Daniel Libit <djlubit@gmail.com < Caution-mailto:djlubit@gmail.com > >  
**Sent:** Tuesday, November 8, 2022 8:46 PM  
**To:** USARMY West Point ID-Training Mailbox FOIA-PA <usarmy.westpoint.id-training.mbx.foia-pa@army.mil < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil > >  
**Subject:** Re: [URL Verdict: Neutral]Re: [Non-DoD Source] FOIA request

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

[Redacted]

Mr. Bradbury,

Would you please clarify for me whether the Oct. 27, 2022 email you reference was West Point's FOIA-mandated, within-20-working-days response to my Oct. 7 public records request? Or is it West Point's position that the 20-working-days clock does not start until/unless you have first received sufficient clarification from the AWPAA?

Many thanks,

Daniel Libit

On Nov 7, 2022, at 7:54 AM, USARMY West Point ID-Training Mailbox FOIA-PA <[usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%2%A0<%C2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%2%A0 > > > wrote:

Good morning Sir,

On Oct, 27<sup>th</sup> 2022, I sent you an email regarding your potential FOIA request to wit I explained that I am awaiting clarification from the AWPAA as to which parts of your request fall under their purview and which belong to West Point. This was 14 business days after your initial request for information. I am still waiting for clarification and once I have that I will provide you with a status update from there.

Thank you for your continued support.

V/R,  
James J. Bradbury  
Management Assistant/FOIA Officer  
Installation Management Command  
Building 646, Room 1  
West Point ,NY  
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**Sent:** Monday, November 7, 2022 7:00 AM  
**To:** USARMY West Point ID-Training Mailbox FOIA-PA <[usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < [Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0<%C2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0 > > >  
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[Redacted]

Dear Mr. Bradbury,

I am writing to seek a status update for this request, which was submitted on Oct. 7. The 20-working-day response deadline to the request, per FOIA, would have been on Friday, Nov. 4.

Please advise at your earliest opportunity.

Many thanks,

Daniel Libit

On Oct 27, 2022, at 8:37 AM, USARMY West Point ID-Training Mailbox FOIA-PA <[usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%2%A0<%2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%2%A0 > > > wrote:

Good morning Sir,

Thank you for your patience as this FOIA office works to open your request, at this time I have sought information regarding specific portions of your request to see which points fall under the purview of the United States Military Academy/West Point and what points fall under the AWPAA. As soon as I have clarification, I will provide you with an update, open your request, and provide you with an update.

In the meantime, if you have any questions or concerns – please let me know.

V/R,  
James J. Bradbury  
Management Assistant/FOIA Officer  
Installation Management Command  
Building 646, Room 1  
West Point ,NY  
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**Sent:** Friday, October 7, 2022 2:04 PM

**To:** USARMY West Point ID-Training Mailbox FOIA-PA <[usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0<%C2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0 > > >

**Subject:** [URL Verdict: Neutral]Re: [Non-DoD Source] FOIA request

Please find attached.

On Oct 7, 2022, at 12:53 PM, USARMY West Point ID-Training Mailbox FOIA-PA <[usarmy.westpoint.id-training.mbx.foia-pa@army.mil](mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil) < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A03c%C2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0 < Caution-mailto:usarmy.westpoint.id-training.mbx.foia-pa@army.mil%C2%A0<%C2%A0Caution-mailto:usarmy.westpoint.id-training.mbx.foia-

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> > > wrote:

Good afternoon Sir,

Please utilize the attached template for your FOIA request and return at your earliest convenience.

V/R,  
James J. Bradbury  
Management Assistant/FOIA Officer  
Installation Management Command  
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- Agreements with any sports broadcasters
  - Any licensing, marketing, and sponsorship agreement
  - Documents concerning AWPAA's use of West Point "support services," including utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems
  - Contracts for facility enhancements and capital projects including the \$95 million Michie Stadium Preservation Project
  - All other contracts with AWPAA or AWPAA personnel signed by West Point students or personnel, including the Superintendent
3. Any email communications, inclusive of attachments, sent to/from West Point Superintendent Lt. Gen. Darryl A. Williams, between Jan. 1, 2019 and June 1, 2019, which contains the search terms: "Buddie," "athletic director," or "athletics." Please exclude any emails received by Lt. Gen. Williams that are SPAM, from list servs or subscription servs.
  4. Any emails, inclusive of attachments, sent to/from West Point Superintendent Lt. Gen. Darryl A. Williams and any sender or recipient with College Sports Associates, from Dec. 1, 2018 to June 1, 2019, which contains the search terms: "Buddie," "athletic director," or "athletics."

Please provide responsive materials to me via email. This request is for noncommercial, journalistic purposes. If you have any questions, please don't hesitate to email or call me at (202) 747-4652.

Many thanks,

Daniel Libit

P.O. Box 250

Highland Park, IL 60035

[djlibit@gmail.com](mailto:djlibit@gmail.com) < Caution-mailto:djlibit@gmail.com > < Caution-Caution-mailto:djlibit@gmail.com < Caution-mailto:djlibit@gmail.com > > < Caution-Caution-Caution-mailto:djlibit@gmail.com < Caution-mailto:djlibit@gmail.com > < Caution-Caution-mailto:djlibit@gmail.com < Caution-mailto:djlibit@gmail.com > > >  
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