

# Exhibit J

## Katie Ali

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**From:** Katie Ali  
**Sent:** Friday, January 6, 2023 9:38 AM  
**To:** FOIPAQUESTIONS@FBI.GOV  
**Cc:** Liz Lockwood  
**Subject:** RE: Request No. 1554681-000, Jaffe  
**Attachments:** DOJ Certification of Identity Form DMJ.pdf; DOJ Certification of Identity Form KL.pdf

Good morning,

I can confirm we received the December 16 correspondence.

I am attaching the certification forms for Mr. Jaffe and Ms. Lowy, the requesters in this matter, providing authorization to release any records pertaining to them.

Thank you,  
Katie

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**From:** FOIPAQUESTIONS@FBI.GOV <FOIPAQUESTIONS@FBI.GOV>  
**Sent:** Wednesday, January 4, 2023 1:27 PM  
**To:** Katie Ali <katie.ali@alilockwood.com>  
**Subject:** RE: Request No. 1554681-000, Jaffe

Good afternoon,

Thank you for contacting [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov).

Please note the request you submitted with the FBI has been opened under two different FOIPA numbers.

FOIA 1554680-00 subject: Raymond Spencer – correspondence was mailed to you on December 16, 2022 advising the material you requested is located in an investigative file which is exempt from disclosure pursuant to 5 U.S.C code 552(b)(7)(A). Can you please confirm if you received this correspondence? We did receive the proof of death for this subject.

FOIA 1554681-000 subject Daniel Jaffee et al – this is the request that sufficient proof of death or authorization is required for greater access to information. We have not received the necessary documentation required to continue with this request.

Respectfully,

Public Information Officer  
FBI - Information Management Division  
200 Constitution Drive  
Winchester, VA 22602  
O: (540) 868-4593  
E: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

Do you have further questions about the FOI/PA process? Visit us at <http://www.fbi.gov/foia>

Please check the status of your request online at <https://vault.fbi.gov/fdps-1/@@search-fdps> Status updates are performed on a weekly basis.

Note: This is a non-emergency email address. If this is an emergency, please call 911 directly. If you need to report a tip for immediate action, please contact FBI Tips at <http://tips.fbi.gov/> or reach out to your local field office.

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**From:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Sent:** Wednesday, December 14, 2022 10:31 AM  
**To:** FOIPAQUESTIONS <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Cc:** Liz Lockwood <[liz.lockwood@alilockwood.com](mailto:liz.lockwood@alilockwood.com)>  
**Subject:** [EXTERNAL EMAIL] - FW: Request No. 1554681-000, Jaffe

Good morning,

Thank you for your email. I have two questions that I am looking for assistance with, one process-related and one more substantive.

On the process question, I understand that while we served a single FOIA request, you have split it into two separate requests (Request No. 1554681-000 and Request No. Request No. 1554680-000). Can you please provide a status update as to both requests?

With respect to the substance, the correspondence included in the chain below (which I still have not received in hard copy despite it apparently having been sent in November) requests that we provide a certificate of identity for Raymond Spencer. However, it also states that we "may receive greater access to these records (if they exist) by providing . . . (2) proof of death (i.e., proof that your subject is deceased)." The correspondence further states that "[a]cceptable forms of proof of death include; obituaries, death certificates, recognized sources that can be documented, written media, Who's Who in America, FBI file that indicates person is deceased or the Social Security Death Index." I am attaching a series of news articles that clearly state that Mr. Spencer is deceased and would like to confirm that this is sufficient proof of death.

If it would be helpful to discuss, I would ask that you please give me a call (cell: 858-354-2597) or respond by email with some times when you are available to discuss.

Thank you,  
Katie

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**From:** [FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV) <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Sent:** Tuesday, December 13, 2022 2:59 PM  
**To:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Subject:** RE: Request No. 1554681-000, Jaffe

Good afternoon,

This email is in response to the voicemail you left with our office. How may we assist you?

Public Information Officer  
FBI - Information Management Division  
200 Constitution Drive  
Winchester, VA 22602

O: (540) 868-4593  
E: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

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**From:** FOIPAQUESTIONS  
**Sent:** Wednesday, December 7, 2022 11:02 AM  
**To:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Subject:** RE: Request No. 1554681-000, Jaffe

Good morning,

Thank you for contacting [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). Unfortunately, this information is unable to be sent electronically however, the correspondence provides the below information.

You have indicated interest in requesting records concerning one or more third party individuals. The FBI recognizes an important privacy interest in the requested information. You may receive greater access to these records (if they exist) by providing one of the following: (1) an authorization and consent from the individual(s) (i.e., express authorization and consent of the third party); (2) proof of death (i.e., proof that your subject is deceased); or (3) a justification that the public interest in disclosure outweighs personal privacy (i.e., a clear demonstration that the public interest in disclosure outweighs personal property interests).

The U. S. Department of Justice CERTIFICATION OF IDENTITY (Authorization to Release Information to Another Person)-FORM DOJ-361 can be used to provide consent. Note-please provide the following information on the OPTIONAL: Authorization to Release Information to Another Person line: Your name, title/business (if applicable) and a complete and current mailing address. Acceptable forms of proof of death include; obituaries, death certificates, recognized sources that can be documented, written media, Who's Who in America, FBI file that indicates person is deceased or the Social Security Death Index. A waiver or proof of death is not required if date of birth is 100 years ago or greater. Note-a web link in itself does not satisfy proof of death.

Please return the form or letter to one of the following: by mail: FBI, Attn: FOIPA Request, 200 Constitution Drive, Winchester, VA 22602-4843, or by fax: (540) 868-4997. You may submit an attachment listing additional information that may aid in locating responsive records. Please place your name and contact information on the attachment. Alternatively, you may utilize our eFOIPA portal (<https://efoia.fbi.gov>) to submit your request electronically. The portal is available 24/7.

Respectfully,

Public Information Officer  
FBI - Information Management Division  
200 Constitution Drive  
Winchester, VA 22602

O: (540) 868-4593  
E: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

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**From:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Sent:** Wednesday, December 7, 2022 10:26 AM  
**To:** FOIPAQUESTIONS <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Cc:** Liz Lockwood <[liz.lockwood@alilockwood.com](mailto:liz.lockwood@alilockwood.com)>  
**Subject:** [EXTERNAL EMAIL] - RE: Request No. 1554681-000, Jaffe

Good morning,

I still have not received the letter below (which was apparently mailed on November 22, 2022). Is it possible for it to be sent by email instead?

Thank you,  
Katie

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**From:** [FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV) <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Sent:** Wednesday, November 30, 2022 8:47 AM  
**To:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Subject:** RE: Request No. 1554681-000, Jaffe

Good morning,

Thank you for contacting [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). Correspondence in response to FOIA 1554680-000, subject Raymond Spencer, was mailed on November 22, 2022. The letter you received is in reference to FOIA 1554681-000, subject Daniel Jaffe.

Respectfully,

Public Information Officer  
FBI - Information Management Division  
200 Constitution Drive  
Winchester, VA 22602  
O: (540) 868-4593  
E: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

Do you have further questions about the FOI/PA process? Visit us at <http://www.fbi.gov/foia>

Please check the status of your request online at <https://vault.fbi.gov/fdps-1/@@search-fdps> Status updates are performed on a weekly basis.

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**From:** Katie Ali <[katie.ali@alilockwood.com](mailto:katie.ali@alilockwood.com)>  
**Sent:** Tuesday, November 29, 2022 7:49 PM  
**To:** FOIPAQUESTIONS <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Cc:** Liz Lockwood <[liz.lockwood@alilockwood.com](mailto:liz.lockwood@alilockwood.com)>  
**Subject:** [EXTERNAL EMAIL] - RE: Request No. 1554681-000, Jaffe

Hello –

I am writing to follow up on the below. Can you please confirm receipt and let me know if any follow up is required?

Thank you,  
Katie

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**From:** Katie Ali  
**Sent:** Wednesday, November 16, 2022 12:08 PM  
**To:** [FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)  
**Cc:** Liz Lockwood <[liz.lockwood@alilockwood.com](mailto:liz.lockwood@alilockwood.com)>  
**Subject:** Request No. 1554681-000, Jaffe

Dear FBI FOIA Public Liaison,

I am writing in response to the attached letter, which I received in response to my July 28 FOIA request. FBI's October 7 response states that because the "acknowledgment of the existence of FBI records or third party individuals could reasonably be expected to constitute an unwarranted invasion of personal privacy" of a third party, the FBI's "standard response" is to close the request. The letter further states that "[t]o reopen your request, please complete and return the attached Certification of Identity Form."

I am writing because the third party at issue, Raymond Spencer, is deceased. Evidence of his death is attached (see Ex. A, attached), and another federal agency – the United States Coast Guard – recently acknowledged that Mr. Spencer is deceased in response to a separate FOIA inquiry (also attached). I am writing to ask that you please accept proof of Mr. Spencer's death as a substitute for completing the "Certification of Identity Form." Please call me at 858-354-2597 with any questions.

Thank you,  
Katie

## **Katie Ali**

PARTNER

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**Ali & Lockwood LLP**  
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Suite 900  
Washington, D.C. 20001

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Direct: (202) 651-2476  
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