

Exhibit D



Thomas Stavola Jr <tstavolajr@gmail.com>

Freedom of Information Act Appeal

6 messages

Thomas Stavola Esq <tstavolajr@stavolalaw.com>

Mon, Oct 2, 2023 at 8:31 AM

To: FOIAAppeals@doc.gov

Bcc: Bob Stern <drbob232@gmail.com>

Dear Mr. McQuighan:

Please see documentation attached herein: (1) FOIA Appeal Letter, (2) Original FOIA Request September 5th, 2023, and (3) Response to FOIA Request, September 22, 2023. The FOIA appeal urgently seeks the disclosure of requested, withheld records.

Thank you.

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Thomas Stavola Jr., JD, MBA.

<https://www.stavolalaw.com/>

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3 attachments

 **FOIA Request, Sep 5 2023.docx**
45K

 **FOIAREDIRECT SEP2023.pdf**
641K

 **FOIA Appeal Letter.pdf**
360K

Thomas Stavola Esq <tstavolajr@stavolalaw.com>

Mon, Nov 27, 2023 at 10:32 AM

To: "mark.graff@noaa.gov" <mark.graff@noaa.gov>

Dear Mark:

Thank you for the information on our call this morning regarding FOIA. As discussed and noted, see herein, relevant FOIA initial request, FOIA appeal letter, and FOIA response documents.

Please let me know what you determine regarding the facilitation of our request, and whether we can obviate litigation through obtaining these materials.

Best,

Thomas Stavola Jr. Esq.

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3 attachments

 **FOIA Request, Sep 5 2023.docx**
45K

 **FOIAREDIRECT SEP2023.pdf**
641K

 **FOIA Appeal Letter.pdf**
360K

Appeals, FOIA <foiaappeals@doc.gov>

Tue, Nov 28, 2023 at 1:33 PM

To: Thomas Stavola Esq <tstavolajr@stavolalaw.com>, "Appeals, FOIA" <foiaappeals@doc.gov>

We have received your appeal and assigned it the following tracking number - DOC-InfoLaw-2024-000011.

Please refer to this number when communicating with my office.

Thank you

Allyson Deitrick, Chief
Information Law Division
Office of the General Counsel
Room 5896
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230
Office: (202) 482-3171
Mobile: (202) 322-2548

From: Thomas Stavola Esq <tstavolajr@stavolalaw.com>
Sent: Monday, October 2, 2023 8:31 AM
To: Appeals, FOIA <foiaappeals@doc.gov>
Subject: Freedom of Information Act Appeal

Dear Mr. McQuighan:

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Thomas Stavola Esq <tstavolajr@stavolalaw.com>
To: Bob Stern <drbob232@gmail.com>

Tue, Nov 28, 2023 at 2:12 PM

Hi Bob. See below. Our appeal letter originally submitted on October 2nd has now been formally acknowledged. They now have 20 business days to respond (denial or disclose).

[Quoted text hidden]

Bob Stern <drbob232@gmail.com>
To: Thomas Stavola Esq <tstavolajr@stavolalaw.com>

Tue, Nov 28, 2023 at 3:24 PM

HI

Do you think the oversight was real , or are they just stalling?

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Thomas Stavola <tstavolajr@stavolalaw.com>
To: Bob Stern <drbob232@gmail.com>

Tue, Nov 28, 2023 at 3:28 PM

Not sure, but I made it clear to Mark Graff that we would be proceeding with litigation. So, from their standpoint, the calculation should be: either disclose the materials we want now, or, take the risk of a court-compelled disclosure of those documents.

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