

# Exhibit A

Monday, March 25, 2024 at 11:19:47 Eastern Daylight Time

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**Subject:** RE: Pending Freedom of Information Act Requests, FOIA-2024-01349 et al.  
**Date:** Friday, March 15, 2024 at 1:28:17 PM Eastern Daylight Time  
**From:** Hibbard, Douglas (OIP)  
**To:** LoMonte, Frank, Rabinowitz, Hannah

Mr. LoMonte,

To confirm, the request you have detailed below has been assigned tracking number FOIA-2024-01345. I can update this specific request to be narrowed as follows: Any video and audio recordings from the SCO's interview with President Joseph Biden on October 8 and 9, 2023. As you have indicated below, we will consider this request to be your top priority and will discuss your remaining requests after we have fulfilled FOIA-2024-01345.

Please be advised that, at this time, this Office anticipates that the written transcripts of the interviews of President Biden will be disclosed prior to the audio of those same interviews. Although you have not requested the written transcripts in FOIA-2024-01345, we will provide them to you upon their disclosure on the assumption that they are of interest to you.

Lastly, with regards to the portions of your requests seeking the records related to the processing of your requests, please be advised that the FOIA does not permit requesters to request records that will be created at a later date. To the extent that you interested in the records associated with the processing of your FOIA requests, you can submit such a request to this Office upon our completion of their processing.

Please let me know if you have any questions on this matter,

Doug Hibbard

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**From:** LoMonte, Frank <[frank.lomonte@cnn.com](mailto:frank.lomonte@cnn.com)>  
**Sent:** Thursday, March 14, 2024 4:25 PM  
**To:** Rabinowitz, Hannah <[hannah.rabinowitz@cnn.com](mailto:hannah.rabinowitz@cnn.com)>; Hibbard, Douglas (OIP) <[Douglas.Hibbard@usdoj.gov](mailto:Douglas.Hibbard@usdoj.gov)>  
**Subject:** [EXTERNAL] Re: Pending Freedom of Information Act Requests, FOIA-2024-01349 et al.

Dear Mr. Hibbard,

I am legal counsel representing CNN and its reporter, Hannah Rabinowitz, who is copied here. We appreciate your correspondence, below, offering the opportunity to clarify and prioritize Ms. Rabinowitz's FOIA requests of Feb. 16, 2024.

On Feb. 16, Ms. Rabinowitz electronically submitted the following FOIA request:

Records related to the Office of Special Counsel's investigation led by Robert Hur into the retention of classified documents by President Biden. **Specifically, CNN seeks: Any video and audio recordings from the SCO's interview with President Joe Biden on October 8 and 9, 2023**, as well as the transcript of the interview. We also request FBI

memoranda, such as 302s, from the interview.

In addition to the records described above, provide any processing notes produced in the course of fulfilling this request and any records that, because of their nature or subject matter, are substantially the same as the records described above and have been previously disclosed, are the subject of currently pending requests or are likely to become the subject of subsequent requests.

I believe this request is numbered as FOIA-2024-01345 in your reply, copied below (although it is possible that it is FOIA-2024-01348). In either event, this is the highest-priority and most time-sensitive of our requests. For purposes of expediting fulfillment, we are prepared to narrow the request to cover the bolded language above: "**Any video and audio recordings from the SCO's interview with President Joe Biden on October 8 and 9, 2023.**"

Once that portion of the request is fulfilled, we will be happy (by call or email; my direct contact information is below) to work with your office on clarifying and narrowing the remaining unfulfilled requests.

Thank you for your prompt consideration of this time-sensitive request.

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**Frank LoMonte**

**Senior Counsel, CNN**

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**From:** Hibbard, Douglas (OIP) <[Douglas.Hibbard@usdoj.gov](mailto:Douglas.Hibbard@usdoj.gov)>

**Date:** Thursday, March 14, 2024 at 1:54 PM

**To:** Rabinowitz, Hannah <[hannah.rabinowitz@cnn.com](mailto:hannah.rabinowitz@cnn.com)>

**Subject:** Pending Freedom of Information Act Requests, FOIA-2024-01349 et al.

**EXTERNAL SENDER: Caution opening links or attachments**

Hannah Rabinowitz,

This concerns the nine Freedom of Information Act requests you have submitted to the Department of Justice seeking:

FOIA-2024-01232      Communications between the Office of the Attorney General and the office of Special Counsel Robert Hur since January 1, 2023.

FOIA-2024-01342      Communications between the Office of Legal Counsel and the office of Special Counsel Robert Hur from January 2023, to February 2024.

FOIA-2024-01343      Communications between the Office of the Deputy Attorney General and the office of Special Counsel Robert Hur from January 2023 to February 2024.

FOIA-2024-01344      Communications between the Office of the Attorney General and the office of Special Counsel Robert Hur since January 1, 2023. (See note below.)

FOIA-2024-01345 Records concerning the interview of President Joseph Biden as conducted by Special Counsel Robert Hur.  
FOIA-2024-01346 Calendars of Special Counsel Robert Hur from January 2023 to February 2024.  
FOIA-2024-01347 Records concerning the interview of Mark Zwonitzer as conducted by Special Counsel Robert Hur.  
FOIA-2024-01348 Records of the office of Special Counsel Robert Hur concerning the interview of President Joseph Biden.  
FOIA-2024-01349 All records “collected, maintained, and stored” related to the investigation of Special Counsel Robert Hur, including records “used” by Special Counsel Hur in drafting his report.

As detailed within the Report of Special Counsel Hur ([www.justice.gov/storage/report-from-special-counsel-robert-k-hur-february-2024.pdf](http://www.justice.gov/storage/report-from-special-counsel-robert-k-hur-february-2024.pdf), specifically on page 33), investigators conducted 173 interviews of 147 witness and collected over seven million documents. To the extent that you are seeking all records “collected, maintained, and stored” related to the investigation, your request (FOIA-2024-01349) is seeking a very large volume of material. As such, I am inquiring into your interest in narrowing the scope of your request in order to facilitate our ability to respond to it. For example, you could limit your request to copies of the interview transcripts for the 173 interviews that were conducted. We can discuss further options that might be interest to you.

Furthermore, it would appear that your other eight requests are all seeking a subset of the records you have requested in FOIA-2024-01349. Based on any narrowing we may agree upon with regards to the scope of FOIA-2024-01349, some, or all, of these requests may still prove to be duplicative subsets of FOIA-2024-01349.

Please feel free to respond to this email with any questions or comments you may have. I look forward to the opportunity to discuss your requests with you so that we might fulfill them as soon as possible.

Doug Hibbard  
Chief, Initial Request Staff  
Office of Information Policy

Note: The requester letter for FOIA-2024-01344 (which I have attached) appears to contain conflicting information in that initially states that it is seeking communications between the White House and the office of Special Counsel Robert Hur but then, in the “REQUESTED RECORDS” section, states that it seeking communications between the Office of the Attorney General and the office of Special Counsel Hur, which you specifically requested in FOIA-2024-01232.