



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, DC 20580

October 29, 2024

**Sent via Email**

Joe O'Donnell



Re: FOIA-2025-00124

Dear Joe O'Donnell:

This is a response from the Federal Trade Commission (“FTC”) to your Freedom of Information Act (“FOIA”) request dated October 16, 2024 seeking access to any investigation(s) or inquiries that directly pertain to the conduct, disclosures, and/or transactions of the registrant Roblox from January 1, 2023 to the present.

In accordance with the FOIA and agency policy, we used appropriate methods to carry out a reasonable, good faith search for responsive records beginning on October 17, 2024. *See Iturralde v. Comptroller of Currency*, 315 F.3d 311, 315 (D.C. Cir. 2003); *see also e.g. Morley v. CIA*, 508 F.3d 1108, 1114 (D.C. Cir. 2007). We have located 9,237 pages of responsive records, all of which are exempt from the FOIA’s disclosure requirement as explained below. Additionally, we reasonably foresee that disclosure would harm an interest protected by one or more of the FOIA exemptions applied. 5 U.S.C. § 552(a)(8)(A)(i). Accordingly, we are denying your request.

The responsive records are exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), because they are exempt from disclosure by another statute. Specifically, Section 21(f) of the FTC Act provides that information obtained by the Commission in a law enforcement investigation, whether through compulsory process, or voluntarily in lieu of such process, is exempt from disclosure under the FOIA. 15 U.S.C. § 57b-2(f), *see Kathleen McDermott v. FTC*, 1981-1 Trade Cas. (CCH) ¶ 63964 (D.D.C. April 13, 1981).

Additionally, the responsive records constitute confidential commercial or financial information, which is exempt from disclosure under FOIA Exemption 4, 5 U.S.C. § 552(b)(4). Commercial or financial information is considered confidential under Exemption 4 if it is both customarily and actually treated as private by its owner and provided to the government under an assurance of privacy. *See Food Marketing Institute v. Argus Leader Media*, 139 S. Ct. 2356 (2019). Moreover, because Section 6(f) of the FTC Act, 15 U.S.C. § 46(f), prohibits public disclosure of this type of information, it is also exempt under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), which, as noted above, exempts from disclosure any information that is protected from disclosure under another federal statute.

Please note that a detailed description of each record located is not required unless the requester has exhausted all administrative remedies and pursued litigation in the federal district court. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973); *see also, e.g., Jud. Watch, Inc. v.*

*Clinton*, 880 F. Supp. 1, 11 (D.D.C. 1995). At the administrative stage of the FOIA process, the agency's response to a FOIA request need only provide "the reasons" for its determination, which include, "most obviously, the specific exemptions that may apply." 5 U.S.C. § 552(a)(6)(A)(i); *see also Citizens for Responsibility & Ethics in Washington v. FEC*, 711 F.3d 180, 186 (D.C. Cir. 2013).

The Commission's fee regulations specify that fees less than \$25 will be waived. *See* 16 C.F.R. § 4.8(b)(4). Because the fees associated with the processing of your request did not exceed \$25, we have processed your request free of charge.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Anthony Ellis at [rellis@ftc.gov](mailto:rellis@ftc.gov). If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, or via email at [FOIAAppeal@ftc.gov](mailto:FOIAAppeal@ftc.gov), within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or via e-mail at [rgold@ftc.gov](mailto:rgold@ftc.gov); or from the Office of Government Information Services via email at [ogis@nara.gov](mailto:ogis@nara.gov), via fax at 202-741-5769, or via mail at National Archives and Records Administration, Office of Government Information Services, 8601 Adelphi Road, College Park, MD 20740. Please note that the FOIA Public Liaison's role relates to comments, questions, or concerns that a FOIA Requester may have with or about the FOIA Response. The FOIA Public Liaison's role does not relate to acting in matters of private controversy nor can he resolve individual complaints.

Sincerely,

*Burke W. Kappler*

Burke W. Kappler

Acting Assistant General Counsel