

# **EXHIBIT NO. 12**



**U.S. Department of Justice**  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

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Telephone: (202) 514-3642

Gabriel Colwell, Esq.  
Squire Patton Boggs  
31st Floor  
555 South Flower Street  
Los Angeles, CA 90071  
[gabriel.colwell@squirepb.com](mailto:gabriel.colwell@squirepb.com)

Re: Appeal No. DOJ-AP-2016-003970  
Request No. CRM-300529172  
CDT:RNB

**VIA: Email**

Dear Mr. Colwell:

You attempted to appeal on behalf of your clients, Dongkuk International, Inc. and Sae-Joo Chang, from the failure of the Criminal Division of the United States Department of Justice to respond to your clients' Freedom of Information Act request for access to records concerning the evidence received by the DOJ from the U.S. Attorney's Office for the Central District of California in the matter of Sae-Joo Chang.

Department of Justice regulations provide for an administrative appeal to the Office of Information Policy only after there has been an adverse determination by a component. See 28 C.F.R. § 16.8(a) (2015). As no adverse determination has yet been made by the Criminal Division, there is no action for this Office to consider on appeal.

As you may know, the FOIA authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. § 552(a)(6)(C)(i). However, I can assure you that this Office has contacted the Criminal Division and has been advised that your request is currently being processed. If you are dissatisfied with the Criminal Division's final response, you may appeal again to this Office.

This Office has forwarded a copy of your letter to the Criminal Division. You should contact the Criminal Division's Requester Service Center at (202) 616-0307 for further updates regarding the status of your request.

Sincerely,

7/28/2016

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Christina D. Troiani, Associate Chief, for  
Sean O'Neill, Chief, Administrative Appeals Staff  
Signed by: ctroiani