

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JODI C. HOHMAN, an individual,

Plaintiff,

v.

Case No.

INTERNAL REVENUE SERVICE and
UNITED STATES DEPARTMENT OF THE TREASURY,

Defendants.

COMPLAINT FOR INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act, 5 U.S.C. § 552 and 5 USC 552a to order the production of agency records and information pertaining to Plaintiff that Defendants have improperly withheld from Plaintiff.

2. This court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 5 USC 552a(g).

3. Plaintiff, Jodi C. Hohman, has her residence and principal place of business in the Eastern District of Michigan, Southern Division

4. The United States Department of Treasury and the Internal Revenue Service are agencies within the meaning of 5 USC 552(e).

5. Plaintiff is the requester of the agency records that are in the possession of defendant

Internal Revenue Service and which that agency is now withholding. Plaintiff, requested release of records relating to the Internal Revenue Service audit of Plaintiff. The request was denied without any release of records on August 23, 2016, and said denial stated that Plaintiff would be able to sue for the records after September 7, 2016, if Plaintiff did not agree to an extension of time for release of the records. Plaintiff did not agree to the extension of time.

6. Plaintiff is the requester of the agency records that are in the possession of defendant Department of the Treasury and which that agency is now withholding. Plaintiff requested release of records relating to the Treasury Inspector General for Tax Administration's (TIGTA), investigation, Case No.s: 66-1601-0026-I and 66-1601-0027-I, Investigation No. 55-1512-0010-C. Defendant Department of the Treasury denied the request in part and denied Plaintiff's administrative appeal seeking release to her of the withheld documents. Plaintiff's administrative appeal was denied on August 5, 2016.

7. The withholding of the aforementioned records is improper under 5 USC 552 and 5 USC 552a. There is no legal basis for Defendants' denial of Plaintiff's access to the records.

8. Plaintiff has exhausted her administrative remedies under 5 USC 552 and 5 USC 552a.

9. The Court should review the agencies' refusal to comply with Plaintiff's requests under 5 USC 552 and 5 USC 552a *de novo*.

10. Plaintiff is entitled to an injunction ordering the release of the aforementioned information and records.

WHEREFORE, plaintiff requests this Court:

(1) Order Defendants to provide access to the requested documents;

- (2) Award plaintiff costs and reasonable attorneys fees in this action
- (3) Grant such other and further relief as may deem just and proper.

 /s/ Joseph Falcone Dated: September 12, 2016
Joseph Falcone (P25727)
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