

**EXHIBIT B**



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

Telephone: (202) 514-3642

May 26, 2016

Mr. David Fallis  
Deputy Editor/Investigations  
[David.Fallis@washpost.com](mailto:David.Fallis@washpost.com)

*CONTACT:  
Sara Tennant*

Mr. Lenny Bernstein  
Reporter/Health, Environment & Science  
[Lenny.Bernstein@washpost.com](mailto:Lenny.Bernstein@washpost.com)

Re: DOJ-2016-002977 (DAG)  
VRB:DRH:SBT

*email*

Dear Messieurs Fallis and Bernstein:

This is to acknowledge receipt of your letter dated and received in this Office on May 11, 2016, in which you requested records regarding the Drug Enforcement Administration's investigations of prescription drug diversion involving Cardinal Health and/or CVS. This response is made on behalf of the Office of the Deputy Attorney General.

By e-mail dated May 13, 2016, you amended your request and sought expedited processing pursuant to the Department's standard involving "[a] matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." See 28 C.F.R. § 16.5(e)(1)(iv) (2015). Pursuant to Department policy, we directed your request to the Director of Public Affairs, who makes the decision whether to grant or deny expedited processing under this standard. See *id.* § 16.5(e)(2).

The Director has determined that your request for expedited processing should be denied. She does not believe that your request pertains to a matter "in which there exist possible questions about the [federal] government's integrity which affect public confidence." Please be advised that, although your request for expedited processing has been denied; it has been assigned to a Government Information Specialist in this Office and a records search has been initiated in the Office of the Deputy Attorney General.

The records you seek require a search in another Office, and so your request falls within "unusual circumstances." See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request beyond the ten additional days provided by the statute. We have not yet completed a search to determine whether there are records within the scope of your request. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled

-2-

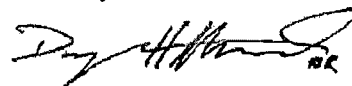
on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in about a month, whereas complex requests necessarily take longer. At this time, your request has been assigned to the complex track. In an effort to speed up our records search, you may wish to narrow the scope of your request to limit the number of potentially responsive records or agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options.

We note that in your letter you agreed to pay fees up to \$100. As a "representative of the news media," you will not be charged search fees.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact Sara Tennant, the analyst processing your request, by telephone at the above number or you may write to her at the above address. In addition, you may contact our FOIA Public Liaison at the telephone number listed above to discuss any aspect of your request.

If you are not satisfied with my response to your request for expedited processing, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 60 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked Freedom of Information Act Appeal.

Sincerely,



Vanessa R. Brinkmann  
Senior Counsel