

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

| | | |
|---------------------------|---|--------------------------|
| CAUSE OF ACTION INSTITUTE |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 17-1649 |
| |) | |
| FEDERAL TRADE COMMISSION |) | |
| |) | |
| Defendant. |) | |

EXHIBIT 2 TO COMPLAINT



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

OCT 30 2014

October 30, 2014

Patrick Massari
Cause of Action
1919 Pennsylvania Ave NW, Suite 650
Washington, DC 20006

NOV 05 2014 received
CoA

RE: FOIA-2015-00108, FOIA-
2015-00109, and FOIA-
2015-00110

Dear Mr. Massari:

This letter acknowledges the receipt of the four Freedom of Information Act (FOIA) requests you sent dated October 30, 2014. You sent these four requests to four different individuals: Mr. Jon Nuechterlein, General Counsel of the Federal Trade Commission ("the FTC"); Ms. Kelly Tshibaka, Acting Inspector General of the FTC; Mr. Christian White, Chief Ethics Officer of the FTC; and Ms. Claudia Simons, Legislative Counsel at the FTC. The requests are not exactly the same, but all of them request access to various records pertaining to the *In re LabMD Inc.* matter from August 28, 2013 to the present. Also, these are the only FOIA requests that we know you have recently sent to agency personnel. If there are others, please so advise us immediately so we can begin processing them.

As you are aware and previously have done so, a FOIA request for FTC records should be sent to the following address:

Freedom of Information Act Request
Office of General Counsel
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

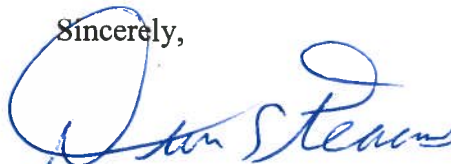
In the future, if you do not properly address your FOIA request and send it to the FOIA Office,¹ our response may be delayed and we may treat it as an improper FOIA request.

¹ 16 C.F.R. § 4.11 (a) *Freedom of Information Act—(1) Initial requests—(i) Form and contents; time of receipt.* (A) A request under the provisions of the Freedom of Information Act, 5 U.S.C. 552, as amended, for access to Commission records shall be in writing and transmitted by one of the following means: by mail to the following address: Freedom of Information Act Request, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580; by facsimile transmission to (202) 326-2477; by email message to the FOIA email account at foia@ftc.gov; or by the form located at the FTC's FOIA Web site, <https://www.ftc.gov/ftc/foia.htm>.

Please note that we designated three different FOIA request numbers to your submitted requests. FOIA Request No. 2015-00108 is assigned to your request addressed to Mr. Nuechterlein concerning all documents regarding the withdrawal of Margaret (or Maggie) Lassack as Complainant Counsel in connection with the matter captioned *In re: LabMD, Inc.*, FTC Docket No. 9357. Request No. 2015-00109 is assigned to your requests addressed to Ms. Tshibaka and Mr. White pertaining to all documents regarding the matter captioned *In re: LabMD, Inc.*, FTC Docket No. 9357. Request No. 2015-00110 is assigned to your request to Ms. Simons seeking all documents regarding 1) Margaret Lassack or Alain Sheer and 2) communications with the United States House of Representatives Committee on Oversight and Government Reform regarding the matter captioned *In re: LabMD, Inc.*, FTC Docket No. 9357.

You may check the status of your FOIA request by visiting <http://www.ftc.gov/about-ftc/foia/foia-reading-rooms/track-your-foia-request>. The status of your FOIA requests is updated at the end of each month. If you should have any questions regarding your request, please contact me at 202-326-2735. In any telephone calls or future written correspondence concerning your requests, please refer to the following FOIA Request numbers FOIA-2015-00108, FOIA-2015-00109, and FOIA-2015-00110.

Sincerely,



Dione Stearns

Assistant General Counsel
