

# **EXHIBIT 25**

**Seth Watkins**

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**From:** Seth Watkins <Watkins@adduci.com>  
**Sent:** Monday, December 14, 2015 11:21 AM  
**To:** foiamail@atf.gov  
**Subject:** FOIA Appeal re Request to ATF Related to NOPR Comments

This will appeal the denial of information requested under FOIA.

Pending before ATF is a request dated and emailed to ATF on November 11, 2015. A copy of the request is forwarded below ("FOIA Request"). Receipt of the FOIA Request has not been acknowledged by ATF.

Pursuant to 5 U.S.C. § 552(a)(6)(A)(i), a response to the FOIA Request was due within 20 business days. Requester deems ATF's failure to provide a response determination within the statutory time limits as a denial of the FOIA Request. Requester hereby appeals the denial of the FOIA Request. See, e.g., 5 U.S.C. § 552(a)(6)(C).

Please respond to this appeal within 20 business days in accordance with 5 U.S.C. § 552(a)(6)(A)(ii).

Thank you.

Sincerely,  
/s/  
Seth A. Watkins

Seth A. Watkins, Ph.D.  
ADDUCI, MASTRIANI & SCHAUMBERG LLP  
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Washington, DC 20036  
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**From:** Seth Watkins  
**Sent:** Wednesday, November 11, 2015 3:17 PM  
**To:** 'foiamail@atf.gov' <foiamail@atf.gov>  
**Subject:** FOIA Request

This is a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

On behalf of our requester client, we hereby request copies of the following records under FOIA, preferably sent to the requester's undersigned attorney by email in electronic format (pdf):

- copies of the eleven (11) comments submitted to the Chief, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms ("BATF"), U.S. Department of the Treasury, in response to BATF's notice of proposed rulemaking published on September 6, 1996 at 61 FR 47095, Notice No. 839, RIN 1512-AB41, in which BATF proposed definitions to facilitate the implementation of the national instant criminal background check system ("NICS") required under the Brady Handgun Violence Prevention Act. [On information and belief, the comments were submitted between September 6, 1996 and December 5, 1996 (when the comment period closed). On information and belief, six comments were submitted by Federal agencies including two comments from agencies within the U.S. Department of Justice (DOJ) (the Immigration and Naturalization Service and the Office of Policy Development), the U.S. Department of State (Office of Passport Policy and Advisory Services), the U.S. Department of Veterans Affairs, the U.S. Department of Defense, and the U.S. Department of Health & Human Services (Substance Abuse and Mental Health Services Administration), while five comments were submitted on behalf of State agencies.]

We hereby consent to pay all costs incurred for search, duplication and review of materials up to \$250.00. If additional costs will be required, please contact me for my approval.

If any records are withheld from release, please identify the withheld records by producing and providing to me an index pursuant to *Vaughn v. Rosen*, 484 F.2d 820, 826-28 (D.C. Cir. 1973).

If the Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice ("DOJ"), does not have custody or control over certain requested and responsive records but knows or believes that another component of DOJ subject to FOIA does, please forward this FOIA Request to the appropriate person and inform us that you have done so.

Please respond within 20 business days in accordance with 5 U.S.C. § 552(a)(6)(A).

If you have any questions about this request, please contact me immediately by the means listed below.

Thank you for your assistance with this matter.

Sincerely,

/s/

Seth A. Watkins

Seth A. Watkins, Ph.D.  
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