

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

AMERICAN OVERSIGHT,

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,

Defendant.

Case No. 1:17-cv-2246 (ABJ)

**ANSWER**

Defendant, the United States Department of State, by and through undersigned counsel, hereby answer the numbered paragraphs of Plaintiff's Complaint as follows:

1. This paragraph consists of Plaintiff's characterization of this lawsuit to which no response is required.

2. This paragraph consists of legal conclusions to which no response is required.

3. This paragraph consists of legal conclusions to which no response is required.

4. This paragraph consists of legal conclusions to which no response is required.

5. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

6. Defendant admits the allegation set forth in the first sentence of this paragraph. The second sentence of this paragraph consists of legal conclusions to which no response is required.

7. Admitted. Defendant respectfully refers the Court to Plaintiff's FOIA request, numbered F-2017-12874 (attached as Exhibit A) for a complete and accurate statement of its contents.

8. Admitted.

9. Admitted. Defendant respectfully refers the Court to Plaintiff's FOIA request, numbered F-2017-14831 (attached as Exhibit B) for a complete and accurate statement of its contents.

10. Admitted.

11. Admitted that Defendant has not made a final determination regarding Requests Nos. F-2017-12874 and F-2017-14831. The remainder of the paragraph is a legal conclusion to which no response is required.

12. This paragraph consists of legal conclusions to which no response is required.

13. Defendant incorporates by reference its response to the foregoing paragraphs as if fully set forth herein.

14. This paragraph consists of legal conclusions to which no response is required.

15. This paragraph consists of legal conclusions to which no response is required.

16. This paragraph consists of legal conclusions to which no response is required.

17. This paragraph consists of legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations in this paragraph.

18. This paragraph consists of legal conclusions to which no response is required.

19. Defendant incorporates by reference its response to the foregoing paragraphs as if fully set forth herein.

20. This paragraph consists of legal conclusions to which no response is required.

21. This paragraph consists of legal conclusions to which no response is required.

22. This paragraph consists of legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations in this paragraph.

23. This paragraph consists of legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations in this paragraph.

24. This paragraph consists of legal conclusions to which no response is required.

The remaining subparagraphs, numbered 1-5, constitute a prayer for relief to which no response is required. To the extent a response is deemed necessary, Defendant denies that Plaintiff is entitled to the relief requested or to any relief whatsoever.

Defendant hereby denies all allegations in Plaintiff's Complaint not expressly admitted or denied.

**AFFIRMATIVE DEFENSES**

1. Plaintiff's failure to exhaust administrative remedies with respect to one or more of its claims precludes judicial review over those claims.
2. Plaintiff is not entitled to compel production of records exempt from disclosure by one or more exemptions to the Freedom of Information Act, 5 U.S.C. § 552.

Dated: December 7, 2017

Respectfully submitted,

CHAD A. READLER  
Principal Deputy Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Director

/s/ Rachael Westmoreland  
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