

# **EXHIBIT A**



Suite 800  
505 Montgomery Street  
San Francisco, CA 94111-6533

**Thomas R. Burke**  
(415) 276-6552 tel  
(415) 276-6599 fax

thomasburke@dwt.com

October 26, 2017

**Sent via Certified Mail**

Sabrina Burroughs  
FOIA Officer  
U.S. Customs & Border Protection  
1300 Pennsylvania Avenue, NW, Room 3.3D  
Washington, DC 20229

FOIA Officer  
U.S. Customs & Border Protection  
33 New Montgomery Street, 16th floor  
San Francisco, CA 94105

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, we are requesting access to the documents attached as Exhibit A to this letter. We represent Muddy Waters LLC, Muddy Waters Capital, LLC, and Carson C. Block, and make this request on their behalf.

Our clients are willing and able to pay any applicable fees associated with this request but request notification if such fees exceed \$500.

If a portion of the information we have requested is exempt from disclosure by express provisions of law, 5 U.S.C. § 552(b) requires segregation and deletion of that material so the remainder of the information can be released. If you determine an express provision of law exempts from disclosure all or a portion of the material we have requested, 5 U.S.C. § 552(a)(6)(A)(i) requires notification to us of the reasons for the determination not later than 20 days from your receipt of this request.

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New York  
Portland  
San Francisco

Seattle  
Shanghai  
Washington, D.C.

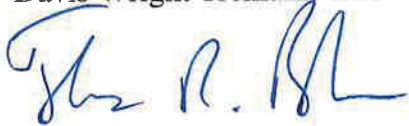
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FOIA Officer  
U.S. Customs & Border Protection  
October 26, 2017  
Page 2

Thank you for your prompt attention to this request, and we look forward to a response within the statutory 20-day period.

Very truly yours,

Davis Wright Tremaine LLP

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Thomas R. Burke

FOIA Officer  
U.S. Customs & Border Protection  
October 26, 2017  
Page 3

**Exhibit A**

**Definitions**

- 1. Correspondence.** “Correspondence” includes any and all forms of electronic mail, postal mail, messenger applications, facsimiles, or any other form of written communication, as well as any records or notes of any and all forms of meetings, telephone conversations, or any other form of oral communication.
- 2. Record.** “Record” has the same meaning as the term “Document” in Fed. R. Civ. P. 34 and includes tangible things.
- 3. Information.** “Information” includes all data, analysis, correspondence, or other material, however recorded.
- 4. And/Or.** “And” and “or” are to be construed as disjunctive or conjunctive as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside the scope.

**Documents Requested:**

**Request No. 1:** All Documents, records, correspondence and information to or from Rapiscan, S2 Global or any affiliated entities or subcontractors during the period 2006 to 2010 regarding concerning the public contract that Rapiscan was awarded to scan all of the cargo coming into the Port of San Juan, Puerto Rico.

**Request No. 2:** All Documents, records and information reflecting any investigation by the FBI, U.S. Department of Justice or other state or federal agency regarding Rapiscan or S2Global or any affiliated entities or subcontractors during the period 2006 to the present concerning Rapiscan’s contract to scan all of the cargo coming into the Port of San Juan, Puerto Rico.



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U.S. Department of Homeland Security  
245 Murray Lane SW  
STOP-0655  
Washington, DC 20528-0655

FOIA Officer  
U.S. Department of Homeland Security  
450 Golden Gate Avenue, Suite 36127  
San Francisco, CA 94102

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Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, we are requesting access to the documents attached as Exhibit A to this letter. We represent Muddy Waters LLC, Muddy Waters Capital, LLC, and Carson C. Block, and make this request on their behalf.

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Thomas R. Burke

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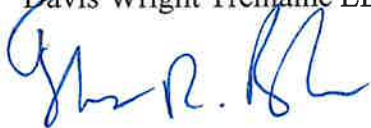


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1. **Request No. 1:** All **Documents, records, correspondence** and information to or from Rapiscan, or S2 Global or any affiliated entities or subcontractors to the U.S. Customs & Border Patrol/U.S. Department of Homeland Security during the period 2008 to the present regarding the purchase or lease of equipment for security on the border of the United States and Mexico.
2. **Request No. 2:** All Documents, records and information reflecting any investigation by the FBI, U.S. Department of Justice or other state or federal agency regarding Rapiscan or S2Global or any affiliated entities or subcontractors during the period 2008 to the present regarding security equipment or services for the border of the United States and Mexico.



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