

EXHIBIT 12



sU.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530

(202) 252-6020
FAX (202) 252-6047

September 26, 2016

Jon R. Rogers
12 Cara Place
Steubenville, Ohio 43953

Re: **FOIA Request Numbers:** 2012-4837 (self-specific records); 2013-1088 (Peter Mowad – Deceased); 2013-1086 (John Thorne); 2013-1772 (Self)
Date of Receipt: December 2, 2012; April 22, 2013; April 22, 2013; May 24, 2013
District: Western District of Pennsylvania

Dear Mr. Rogers:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys' Offices. To provide you the greatest degree of access authorized by the Freedom of Information and Privacy Act, we have considered your request in light of the provisions of both statutes.

Pursuant to the Stipulation and Settlement Agreement ("Agreement"), which you executed on August 1, 2012, under the advice of counsel, and which specifically refers to forfeiture actions that were brought against you by the United States in Civil Action Nos. 03-815, 03-1157, 04-353, and 04-838 in the U.S. District Court for the Western District of Pennsylvania, you released the United States from any and all matters related to and/or in connection with, or arising out of those forfeiture actions. *See* Attachment A. Each of the four FOIA requests that you submitted, which are referred to at the top of this letter, specifically cites to each of the Civil Action numbers for forfeiture actions that were the subject of the Agreement you signed on August 1, 2012. Therefore, pursuant to that Agreement, you have waived all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or adjudication of those forfeiture actions, including without limitation any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act of 1974, 5 U.S.C. § 552a.

If you are not satisfied with my response to this request, 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 by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) 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."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer.

The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Thomas D. Anderson
Acting Assistant Director

Enclosure