

# EXHIBIT D

**Young, Geoffrey G.**

---

**From:** Robinson, Nancy (USMS) <Nancy.Robinson@usdoj.gov>  
**Sent:** Thursday, June 09, 2016 11:54 AM  
**To:** Young, Geoffrey G.  
**Subject:** RE: FOIA Request 2016USMS29691



**U.S. Department of Justice**

United States Marshals Service

*Office of General Counsel*

---

*CS-4, 10<sup>th</sup> Floor  
Washington, DC 20530-0001*

June 9, 2016

Geoffrey G. Young  
ReedSmith LLP  
599 Lexington Avenue, 22<sup>nd</sup> Floor  
New York, NY 10022

**Re: Freedom of Information Act Request No. 2016USMS29691**  
**Subject: James Bottoms**

Dear Requester:

The United States Marshals Service (USMS) is responding to your request for a copy “1. all records in any way relating to, pertaining to, or mentioning Department of Justice investigations of law enforcement located in the County of Montgomery, Alabama for civil rights violations during the time period of January 1, 1994 through today, December 28, 2015, including but not limited to investigations of the Montgomery Police Department or the Montgomery District Attorney's Office; and 2. all records in any way relating to, pertaining to, or mentioning the use of any cell phone tracking technology during the investigation of the shooting death of Officer Keith Houts on September 28, 2006, by state and/or federal law enforcement located in the State of Alabama and/or the State of Georgia, including but not limited to the use of any GPS or "stingray" technology by the Alabama Bureau of Investigations or the U.S. Marshalls located in Alabama and Georgia.”

Pursuant to your request, the USMS conducted a search of the Investigative Operations Division. The search located no records responsive to your request.

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 60 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."

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Sincerely,

William E. Bordley  
Associate General  
Counsel/FOIPA Officer  
Office of General Counsel

---

**From:** Young, Geoffrey G. [mailto:GYoung@ReedSmith.com]  
**Sent:** Monday, December 28, 2015 5:40 PM  
**To:** USMS FOIA  
**Subject:** FOIA Request

Dear Mr. Bordley,

Please see the attached. Please do not hesitate to contact me if you have any questions.

Best regards,

**Geoffrey G. Young**  
212.549.0323  
[gyoung@reedsmith.com](mailto:gyoung@reedsmith.com)

**ReedSmith** LLP  
599 Lexington Avenue, 22nd Floor  
New York, New York 10022  
212.521.5400  
Fax 212.521.5450

\* \* \*

This E-mail, along with any attachments, is considered confidential and may well be legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. Thank you for your cooperation.

Disclaimer Version RS.US.201.407.01