

EXHIBIT 3

From: USASOC FOIA <USASOC.FOIA@socom.mil>
Sent: Monday, February 26, 2018 11:19 AM
To: Wagner, Michael
Subject: RE: Watts Constructors, LLC - FOIA Request to USASOC

Mr. Wagner,

If we search our files for records (emails) that originated at/or from the USACE, we will referred the material to them for processing, based on the contract number you provided; and you will have to pay fees associated at both agencies. Your fee category is "commercial requester," you pay fees for search and review (\$44 per hour) and copying (\$.15 per page). Here is an example of fees, based on a normal search: 8 hours search & 40 hours reviewing (\$2112); and \$.15 per page (if anything is released). As stated in our conversation, based on a preliminary review of the information you are requesting, nothing may be released if the material/information is internal to a decision making (see FOIA Exemptions b3 10 USC 130b & b6, privacy concerns; b4, financial information; b5, deliberative). Even if nothing is released to you, you will still have to pay fees; paying 1/2 of the fees amount upfront. Let me know if you want us to proceed with processing your request and I will get with our IT department for an estimated fees to process your request.

Sincerely,
Chris Nesbitt

-----Original Message-----

From: Wagner, Michael [mailto:MeWagner@seyfarth.com]
Sent: Monday, February 26, 2018 9:37 AM
To: USASOC FOIA <USASOC.FOIA@socom.mil>
Subject: [Non-DoD Source] RE: Watts Constructors, LLC - FOIA Request to USASOC

Mr. Nesbitt:

We did not send a FOIA request to USACE and do not want them to conduct a records search at this time. Rather, we want USASOC and 10th SFG, the agencies to whom we addressed our FOIA request, to conduct a search of their records and produce responsive documents. Under the FOIA Act, USASOC is required to conduct an independent search of its records and make its documents available for inspection and copying. If there are no such responsive documents, than USASOC must notify us of this.

Please provide us with an estimate of the fees to process our request. We look forward to your response.

Sincerely,

Michael Wagner | Seyfarth Shaw LLP
975 F Street, N.W. | Washington, DC 20004
Direct: +1-202-828-3592 | Fax: +1-202-641-9260 mewagner@seyfarth.com | [CAUTION] www.seyfarth.com
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-----Original Message-----

From: USASOC FOIA [mailto:USASOC.FOIA@socom.mil]
Sent: Friday, February 23, 2018 3:12 PM
To: Wagner, Michael <MeWagner@seyfarth.com>
Subject: RE: Watts Constructors, LLC - FOIA Request to USASOC

Mr. Wagner,

Upon consultation with USACE, it was determined that your request fell under their purview, based on the subject contract in your request. The subject of your request related to communication between USASOC & USACE. They would have the same communication (emails) we would have, if any exist. However, if you want to pay for both agencies to conduct a search for records, let me know and I will provide you with the estimated fee for us to process your request, as we discussed in our phone conversation.

Sincerely,
Chris Nesbitt

-----Original Message-----

From: Wagner, Michael [mailto:MeWagner@seyfarth.com]
Sent: Friday, February 23, 2018 2:20 PM
To: USASOC FOIA <USASOC.FOIA@socom.mil>
Subject: [Non-DoD Source] RE: Watts Constructors, LLC - FOIA Request to USASOC

Dear Mr. Nesbitt:

Thank you for your response.

Our FOIA request is directed to USASOC and 10th SFG and seeks documents from those agencies and not USACE, so we're not sure why our request has been referred to USACE, Omaha District. In accordance with the FOIA Act, we fully expect that USASOC and 10th SFG will review our requests and gather their responsive documents and records.

We maintain that USASOC and 10th SFG must produce these documents within 20 working days of receipt of our February 20, 2018 letter in accordance with the Act. Please contact me if you wish to discuss this matter further.

Sincerely,

Michael Wagner | Seyfarth Shaw LLP
975 F Street, N.W. | Washington, DC 20004
Direct: +1-202-828-3592 | Fax: +1-202-641-9260 mewagner@seyfarth.com | [CAUTION] [CAUTION]
www.seyfarth.com [CAUTION] [CAUTION]

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-----Original Message-----

From: USASOC FOIA [mailto:USASOC.FOIA@socom.mil]
Sent: Friday, February 23, 2018 9:04 AM
To: Wagner, Michael <MeWagner@seyfarth.com>
Subject: RE: Watts Constructors, LLC - FOIA Request to USASOC

Mr. Wagner,

We referred your request to the US Army Corps of Engineers, Omaha District. You should receive acknowledgement from them very soon, or you may contact them at: [CAUTION] [CAUTION] https://urldefense.proofpoint.com/v2/url?u=http-3A__www.nwo.usace.army.mil_&d=DwlGaQ&c=fMwtGtbwbi-K_84JbrNh2g&r=U0W7foJ8cBhHkoSauTH1UfcLKE8gb0L7b_6PzQfREck&m=zKZwMAZRyLeXYSuC4F5iYiKRKTYdVAvUL59K6t6rovvg&s=UDsPLd6M7oqZFP1I0gTfEIQS7AzRy6TsUyo0_S3zqPo&e= [CAUTION] [CAUTION]

Sincerely,

Christopher Nesbitt

FOIA/PA Officer

U.S. Army Special Operations Command

(910) 432-9233 / DSN: 239-9233

christopher.nesbitt@socom.mil (NIPR)

chris.w.nesbitt@usasoc.socom.smil.mil (SIPR)

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Section 552a. If you have inadvertently received this document, please return it to the sender and destroy any copies.

-----Original Message-----

From: Wagner, Michael [mailto:MeWagner@seyfarth.com]

Sent: Tuesday, February 20, 2018 11:31 AM

To: USASOC FOIA <USASOC.FOIA@socom.mil>

Subject: [Non-DoD Source] Watts Constructors, LLC - FOIA Request to USASOC

Dear Sir or Madam:

Please see attached FOIA Request directed to United States Army Special Operations Command and United States Army 10th Special Operations Forces Group.

Sincerely,

Michael Wagner | Seyfarth Shaw LLP

975 F Street, N.W. | Washington, DC 20004

Direct: +1-202-828-3592 | Fax: +1-202-641-9260 mewagner@seyfarth.com | [CAUTION] [CAUTION]
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