

# **EXHIBIT 12**



**DEPARTMENT OF THE ARMY**  
**OFFICE OF THE GENERAL COUNSEL**  
**104 ARMY PENTAGON**  
**WASHINGTON DC 20310-0104**

June 13, 2018

Michael Wagner  
mewagner@seyfarth.com

Dear Mr. Wagner:

This letter responds to your Freedom of Information Act (FOIA) appeal dated April 20, 2018. You appealed the \$7,568.00 fee assessment imposed by U.S. Army Special Operations Command (USASOC).

We have remanded your request back to USASOC with instructions to assess only reasonable review fees, not search fees. This means that USASOC will not charge fees for time spent locating responsive records. In addition, we request that you allow USASOC to locate all responsive records before you request an updated fee estimate, as doing so will greatly increase the accuracy of USASOC's fee estimate.

If you believe that USASOC's response to this remand violates the FOIA, you may once again appeal to this office. This letter constitutes final action on behalf of the General Counsel, designated by the Secretary of the Army to consider appeals under the FOIA. You may, if you so desire, seek judicial review of this determination in the federal court system in accordance with the FOIA, 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Maanvi M. Patoir".

Maanvi M. Patoir  
Associate Deputy General Counsel