



**U.S. Department of Justice**  
Office of Information Policy  
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Washington, DC 20530-0001

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Patrick Eddington  
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Re: Appeal Nos. DOJ-AP-2019-005336\*  
Request Nos. 1438406†  
MWH:JNW

**VIA: Email**

Dear Patrick Eddington:

This is to advise you that your administrative appeals from the actions of the Federal Bureau of Investigation were received in this Office on June 12, 2019. Your appeals have been assigned the below numbers. Please mention these numbers in any future correspondence with this Office regarding these appeals.

Appeal number	Request number	Subject of Request
DOJ-AP-2019-005336	1438406-000	Golden Frog
DOJ-AP-2019-005338	1438382-000	Hushmail
DOJ-AP-2019-005339	1438244-000	Anti-Capitalist Bloc of North America
DOJ-AP-2019-005341	1438247-000	Los Angeles Indymedia
DOJ-AP-2019-005342	1438257-000	Community Arts and Media Project
DOJ-AP-2019-005344	1438262-000	Urbana-Champaign Independent Media Center
DOJ-AP-2019-005347	1438272-000	Roundhouse Collective
DOJ-AP-2019-005348	1438573-000	Rep. Robert Giaimo
DOJ-AP-2019-005349	1438385-000	Wickr
DOJ-AP-2019-005350	1438303-000	Threema
DOJ-AP-2019-005354	1438308-000	Posteo
DOJ-AP-2019-005355	1438216-000	LINE Corporation
DOJ-AP-2019-005357	1438298-000	Lavabit
DOJ-AP-2019-005358	1438247-000	Los Angeles Indymedia

\* In addition to DOJ-AP-2019-005336, this letter serves as an acknowledgement to the series of appeal numbers listed in the above table.

† In addition to Request No. 1438406, this letter serves as an acknowledgement to the series of request numbers listed in the above table.

DOJ-AP-2019-005361	1438284-000	Boston IndyMedia
DOJ-AP-2019-005363	1438284-000	J26 Anarchist Black Bloc
DOJ-AP-2019-005371	1438415-000	ProtonMail

You assert that your appeals are entitled to expedited treatment pursuant to the second standard enumerated in the Department of Justice's regulations. Expedited treatment pursuant to the second standard will be granted where the requester shows that there is "[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information." 28 C.F.R. § 16.5(e)(1)(ii) (2018).

I have determined that you have not met your burden under the second standard because you have not shown an "urgency to inform the public" about an actual or alleged federal government activity and because you have failed to demonstrate that you are "primarily engaged in disseminating information." 28 C.F.R. § 16.5(e)(1)(ii). In deciding whether you have demonstrated that there is an "urgency to inform the public" under 28 C.F.R. § 16.5(e)(1)(ii), I considered three factors: "(1) whether the request concerns a matter of current exigency to the American public; (2) whether the consequences of delaying a response would compromise a significant recognized interest; and (3) whether the request concerns federal government activity." Al-Fayed v. CIA, 254 F.3d 300, 310 (D.C. Cir. 2001). Although your requests concern a federal government activity, you have not demonstrated that the topics appear to be of significant public interest. Also, you have not established that the requested records are a matter of current exigency to the American public, nor that delaying a response would compromise a significant recognized interest. Further, you have not provided any evidence that you are "primarily engaged in disseminating information." See ACLU of N. Cal. v. DOJ, No. 04-4447, 2005 WL 588354, at \*14 (N.D. Cal. Mar. 11, 2005) (holding that information dissemination must be "*the* main activity" rather than merely "*a* main activity" of plaintiff to satisfy expedition standard).

As a result of the denials, your appeals will be placed into chronological order with the other pending appeals and will be addressed in turn.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with Matthew Hurd by calling (202) 514-3642.

If you are dissatisfied with my action on your appeal for expedited treatment of your request, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(6)(E)(iii).

Sincerely,

6/18/2019

X 

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Matthew Hurd, Associate Chief, for  
Sean O'Neill, Chief, Administrative Appeals ...  
Signed by: MATTHEW HURD