

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE PROTECT DEMOCRACY
PROJECT, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

Case No. 20-cv-172-RC

NOTICE OF OLC MEMORANDUM

Pursuant to the Court’s March 12, 2020 Minute Order in which it directed Defendants to “submit a filing on behalf of OLC indicating whether it possesses a memorandum or opinion responsive to Plaintiff’s FOIA requests,” Defendants provide the following statement:

OLC possesses a legal memorandum meeting the description of Plaintiff’s FOIA request. That memorandum is nonresponsive to the FOIA request because it was signed after January 31, 2020, which was the date OLC initiated its search for responsive records. The Department of Justice FOIA regulations state that, “[i]n determining which records are responsive to a request, a component ordinarily will include only records in its possession as of the date that it begins its search.” 28 C.F.R. § 16.4(a). Nevertheless, OLC will include the document in its processing of Plaintiff’s request.

Dated: March 19, 2020

Respectfully submitted,

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Deputy Director, Federal Programs Branch

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