

EXHIBIT A



29 July, 2019

Marine Corps - FOIA Program Office (ARSF)
FOIA Officer
3000 Marine Corps Pentagon
Commandant of the Marine Corps, Headquarters
Washington, DC 20350-3000
Fax - (703) 614-6287
hqmcfioa@usmc.mil

Re: JAGMAN Investigation Fallujah 2004

Dear Sir or Madam:

Under the federal Freedom of Information Act, 5 U.S.C. § 552 (the “FOIA”), I request as a reporter for National Public Radio, Inc. (NPR) that the Department of the Navy and the U.S. Marine Corps make available to me for inspection and copying the following documents (which include electronic records) from February 2004 until October 2004:

- Records from administrative investigations (commonly referred to as “JAGMAN” investigations) and other investigation, relating to U.S. Marines killed or injured during Operation Vigilant Resolve in or around Fallujah, Iraq in the winter or spring of 2004; and
- Records from an investigation ordered by Lieutenant General Greg Olsen into the death of a Marine and the injury of another Marine from 2nd Battalion, 1st Marines that may relate to actions taken by or ordered by Marines with the 1st Battalion, 11th Marines, including then Captain Duncan Hunter.

As you know, the FOIA provides that if portions of a document are exempt from release, the remainder must be segregated and disclosed. Therefore, please send me all non-exempt portions of the records I have requested and justify any deletions by reference to specific exemptions of the FOIA. I reserve the right to appeal your decision to withhold any materials.

Since some of the documents listed above may be more readily available than others, please provide the documents that are available as soon as possible without waiting to provide access to all the documents.

The FOIA provides for waiver or reduction of fees if disclosure could be considered as “primarily benefiting the general public.” I am a journalist employed by NPR and intend to use the information I am requesting as a basis for a planned news story, which makes me a “representative of the news media.” Therefore, I ask that you waive all duplication fees. If you deny this request, however, and the fees will exceed \$250, please notify me of the charges before you fulfill my request so that I may decide whether to pay the fees or appeal your denial of my request for a waiver.

I submit this request in my capacity as a journalist, and this information is time-sensitive. Accordingly, I would appreciate your communicating with me by telephone or email. My desk phone is 202.513.3351 and my email is ewestervelt@npr.org, rather than by mail, if you have any questions regarding this request.

You can also communicate with anyone in NPR's Legal Department, including Micah Ratner at mratner@npr.org or 202.513.2045.

I look forward to receiving your reply within twenty (20) business days, as required by federal law.

Thank you for your anticipated cooperation with this FOIA request.

Sincerely,

Eric Westervelt
NPR News - Correspondent