

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

<b>FREDDY MARTINEZ,</b>	)
5810 South Kenneth Avenue	)
Chicago, IL 60629	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	)
	)
<b>U.S. MARSHALS SERVICE,</b>	)
CG-3, 15 <sup>th</sup> Floor,	)
U.S. Marshals Service Headquarters	)
Washington, D.C. 20350	)
	)
<b>U.S. DEPARTMENT OF JUSTICE,</b>	)
950 Pennsylvania Avenue, NW	)
Washington, D.C. 20530	)
	)
<b>Defendants.</b>	)

**COMPLAINT**

1. Plaintiff, FREDDY MARTINEZ, brings this Freedom of Information Act suit to force Defendants U.S. MARSHALS SERVICE and U.S. DEPARTMENT OF JUSTICE to respond to MARTINEZ’s request for financial and training records that show U.S. MARSHALS SERVICE’s visits to “Anti-Defamation League National Counter-Terrorism Seminars” held in Israel between 2013 and 2018. In violation of FOIA, Defendants failed to respond to MARTINEZ’s request for over 2 years.

**PARTIES**

2. Plaintiff FREDDY MARTINEZ is a member of the media and made the FOIA request at issue in this case.

3. Defendant U.S. MARSHALS SERVICE (“USMS”) is a federal agency, a component of U.S. DEPARTMENT OF JUSTICE, and subject to the Freedom of Information Act, 5 U.S.C. § 552.

4. Defendant U.S. DEPARTMENT OF JUSTICE (“DOJ”) is a federal agency subject to the Freedom of Information Act, 5 U.S.C. § 552.

#### **JURISDICTION AND VENUE**

5. This case is brought under 5 U.S.C. § 552(a)(4)(B) and presents a federal question conferring jurisdiction on this Court. *See* 28 U.S.C. § 1331.

6. Venue is proper under 5 U.S.C. § 552(a)(4)(B).

#### **MAY 2, 2018, FOIA REQUEST**

7. On May 2, 2018, MARTINEZ submitted the following FOIA request to DOJ and USMS: “According to a report, officers from the U.S. Marshals Service visited an “Anti-Defamation League National Counter-Terrorism Seminar” (hereby the ADL) in Israel. For the last five years, [1] any and all records about invoices and payments made to cover the cost of this trip; [2] documents sufficient to show which officers received this training; [3] documents sufficient to show how the trip was paid for; [4] documents sufficient to show if officers have gone on similar trips in the last five years; [and] [5] documents sufficient to show communications between the US Marshals Service, ADL, and if available, other offices such as the mayor’s office.” Exhibit A.

8. Six months after MARTINEZ’s original request and his numerous inquiries for a status update, on December 17, 2018, USMS notified MARTINEZ that it does not have the May 2, 2018, FOIA request. It also claimed, “the USMS FOIA is currently experiencing an extreme backlog” and “do[es] not have an estimated completion date for [the] request.” Exhibit A at 2-3.

9. Between January 2019 and January 2020, MARTINEZ asked numerous times for a status update, but USMS never responded. Exhibit B.

10. On February 14, 2020, USMS assigned reference number 2019USMS33779 to the request. Exhibit B at 3-4.

11. As of the date of this filing, USMS has not issued a determination and has produced no records responsive to the request.

**COUNT I – DEFENDANTS’ FOIA VIOLATION**

12. The above paragraphs are incorporated herein.
13. Defendants are federal agencies, subject to FOIA.
14. The requested records are not exempt under FOIA.
15. Defendants have refused to produce the requested materials in a timely manner.

**WHEREFORE**, MARTINEZ asks the Court to:

- i. declare that Defendants have violated FOIA;
- ii. order Defendants to conduct a reasonable search for records and to produce the requested records;
- iii. enjoin Defendants from withholding non-exempt public records under FOIA;
- iv. award MARTINEZ attorneys’ fees and costs; and
- v. award such other relief the Court considers appropriate.

Dated: April 17, 2020

RESPECTFULLY SUBMITTED,

/s/ Joshua Hart Burday

Attorney for Plaintiff  
FREDDY MARTINEZ

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