

EXHIBIT H



Case No. 2020-00215-A-PHS

June 04, 2020

Nicole DeWitt
FRIER & LEVITT Attorneys at Law
Sent via email: ndewitt@frierlevitt.com

Dear Nicole DeWitt:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) appeal, submitted to the Department of Health and Human Services (HHS), FOI/Privacy Acts Division. We received your appeal on **June 04, 2020**. Your appeal challenges the [REFCUSTOMFIELD5]'s response to your original request [REFERENCENUMBER]. Your appeal has been assigned the above-stated case number based on when it was received in this office. Please reference this number on your correspondence.

Your appeal is summarized below:

“...appeals the FDA’s 2016-1341 denial of Goldwater Institute’s request for expedited processing...”

Pursuant to 5 U.S.C. § 552(a)(6)(B)(i) and 5 U.S.C. § 552(a)(6)(B)(iii) of the FOIA and 45 CFR 5.24(f) of the HHS FOIA regulations, your appeal falls under “unusual circumstances” in that our office will need to consult with another office or agency that has substantial interest in the determination of the appeal. The actual processing time will depend on the complexity of the issues presented in the appeal and consultation with other U.S. Department of Health and Human Services (HHS) components involved. For more information about how your appeal will be processed please refer to the HHS FOIA regulations (<https://www.federalregister.gov/documents/2016/10/28/2016-25684/freedom-of-information-regulations>).

The FOIA and the HHS FOIA regulations are available at the following web addresses: <https://www.justice.gov/oip/freedom-information-act-5-usc-552> and <https://www.federalregister.gov/documents/2016/10/28/2016-25684/freedom-of-information-regulations>.

If you have any questions, please call (202) 260-6933, or email us at foiarequest@psc.hhs.gov

Sincerely yours,

Brandon J. Gaylord
Director
FOI/Privacy Act Division

2020-00215-A-PHS