

EXHIBIT 8

From: Stern, Bezalel
Sent: Wednesday, July 22, 2020 3:48 PM
To: 'Ricketts, Brendon (FHWA)'; 'Wylie, Mandy (FHWA)'
Subject: RE: FOIA Control No. 2020-0096

Dear Mr. Ricketts and Ms. Wylie,

I have not received a response to my last two emails requesting a status update on my client's pending FOIA request. That FOIA request was initiated over seven months ago, on January 13, 2020. Since then, I have followed up with you by phone and email at least monthly, and often multiple times a month, inquiring about the status of our request and questioning the delay. At times you responded to my emails and calls. More often, you have chosen not to. Two months ago, on May 22, 2020, Mr. Ricketts informed me that my client's FOIA request was "currently in review status." Despite my emails since then, that was the last I heard from you on this matter.

At this point, we have come to the unfortunate conclusion that the requested documents will not be forthcoming without further legal action on our part. Therefore, unless we receive a substantive response to our FOIA including the requested documents by this coming Monday, July 27, 2020, we will take all necessary and appropriate action, including filing a complaint in order to expedite receipt the documents we requested pursuant to FOIA in January and seeking all fees and costs available.

We sincerely hope you can provide the requested documents by Monday. I hope to hear from you soon. Nothing in this email is intended to or does waive any of my client's rights as to the pending FOIA request or other matters.

Bez

BEZALEL STERN

Special Counsel
Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039
bstern@kelleydrye.com

From: Stern, Bezalel
Sent: Tuesday, July 14, 2020 9:42 AM
To: 'Ricketts, Brendon (FHWA)'
Cc: 'Wylie, Mandy (FHWA)'
Subject: RE: FOIA Control No. 2020-0096

Dear Mr. Ricketts and Ms. Wylie,

It has now been seven months since my client filed its FOIA request. Can you please provide an update as to when we can expect to receive the requested documents?

I would appreciate a response to this email.

Sincerely,

Bez

BEZALEL STERN

Special Counsel
Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039
bstern@kelleydrye.com

From: Stern, Bezalel
Sent: Tuesday, June 23, 2020 12:33 PM
To: 'Ricketts, Brendon (FHWA)' <brendon.ricketts@dot.gov>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: RE: FOIA Control No. 2020-0096

Dear Brendon,

Checking in on the below. Any update on this FOIA request?

Thank you,

Bez

BEZALEL STERN

Special Counsel
Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039
bstern@kelleydrye.com

From: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Sent: Friday, May 22, 2020 9:56 AM
To: Stern, Bezalel <BStern@KelleyDrye.com>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: RE: FOIA Control No. 2020-0096

CAUTION: This message originated outside of Kelley Drye and was sent by: brendon.ricketts@dot.gov

Good Morning Mr. Stern,

Thank you for reaching out. I apologize for the length of time this is taking. Your request is currently in review status. I will provide you a response as soon as it completes review.

Thank you,

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer
Acquisition Policy and Oversight
Office of Acquisition & Grants Management
Federal Highway Administration

PH: (202) 366-9075

HCFA values your perspective on your recent acquisition experience. Please take a moment to complete our brief customer survey available [here](#). Your response is anonymous and will help us assess the quality of our support to your program.

Note: access to the survey is limited to FHWA employees.



Please consider the environment before printing this email

From: Stern, Bezalel [<mailto:BStern@KelleyDrye.com>]
Sent: Wednesday, May 20, 2020 9:48 PM
To: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: Re: FOIA Control No. 2020-0096

Dear Brendon and Mandy,

I am following up again on my client's pending FOIA request, which was initially submitted over four months ago. Can you please respond to this email and provide an update as to the status of this request? I would very much appreciate a response.

Thank you,

Bez

BEZALEL STERN

Special Counsel

Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039

bstern@kelleydrye.com

From: Stern, Bezalel
Sent: Monday, April 13, 2020 8:50 PM

To: 'Ricketts, Brendon (FHWA)'
Cc: Wylie, Mandy (FHWA)
Subject: RE: FOIA Control No. 2020-0096

Dear Brendon and Mandy,

I hope you are both staying safe. When you are able, can you please provide an update on the below FOIA request, originally sent on January 13?

Thank you,

Bez

BEZALEL STERN

Special Counsel

Kelley Drye & Warren LLP
Office: (202) 342-8422
Cell: (301) 922-5039

bstern@kelleydrye.com

From: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Sent: Friday, March 6, 2020 10:23 AM
To: Stern, Bezalel <BStern@KelleyDrye.com>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: RE: FOIA Control No. 2020-0096

Good Morning Mr. Stern,

Thank you for reaching out to us. FOIA No. 2020-0096 is still being processed. As I indicated in my earlier e-mails to you, this request is a heavy lift. We will provide you with a response as soon as it has been finalized.

Thank you,

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer

Acquisition Policy and Oversight

Office of Acquisition & Grants Management

Federal Highway Administration

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Please consider the environment before printing this email

From: Stern, Bezalel [<mailto:BStern@KelleyDrye.com>]
Sent: Friday, March 6, 2020 9:45 AM
To: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: RE: FOIA Control No. 2020-0096
Importance: High

Brendon,

I am inquiring regarding the above-captioned FOIA response, which is now past due. Can you please provide an update today?

I will follow up this email with a call as well. I look forward to hearing from you.

We of course reserve all our rights in this regard.

Bez

BEZALEL STERN

Special Counsel

Kelley Drye & Warren LLP

Office: (202) 342-8422

Cell: (301) 922-5039

bstern@kelleydrye.com

From: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>

Sent: Tuesday, February 18, 2020 2:12 PM

To: Stern, Bezalel <BStern@KelleyDrye.com>

Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>

Subject: RE: FOIA Control No. 2020-0096

CAUTION External Email

Thank you. I am in receipt of your response. I will take this off hold and continue processing.

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer

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Please consider the environment before printing this email

From: Stern, Bezalel [<mailto:BStern@KelleyDrye.com>]
Sent: Tuesday, February 18, 2020 2:10 PM
To: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: Re: FOIA Control No. 2020-0096

That is correct. We do accept the charges and do not want the scope modified. Thank you. Please confirm receipt.

Bezalel

Sent from my iPhone

On Feb 18, 2020, at 1:53 PM, Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov> wrote:

CAUTION External Email

Mr. Stern,

I apologize, I do not have a record of your response. Please respond to this and confirm that you **do** accept the estimated charges and you **do not** want any reduction to the scope of your request.

We will take this request off hold and continue processing once you have confirmed.

Thank you,

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer

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Please consider the environment before printing this email

From: Stern, Bezalel [<mailto:BStern@KelleyDrye.com>]
Sent: Tuesday, February 18, 2020 1:36 PM
To: Ricketts, Brendon (FHWA) <brendon.ricketts@dot.gov>
Cc: Wylie, Mandy (FHWA) <mandy.wylie@dot.gov>
Subject: Re: FOIA Control No. 2020-0096

Brendon,

I responded to you last week, confirming our request that you move forward. Please confirm receipt of this email. I will call you shortly to confirm this as well.

Sincerely

Bezalel Stern

Sent from my iPhone

On Feb 18, 2020, at 1:28 PM, Ricketts, Brendon (FHWA)
<brendon.ricketts@dot.gov> wrote:

CAUTION External Email

Good Afternoon,

I am following up on the estimate provided on February 11th. Please provide a response by COB February 20, 2020 or this request will be closed.

Thank you,

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer

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Please consider the environment before printing this email

From: Ricketts, Brendon (FHWA)
Sent: Tuesday, February 11, 2020 8:38 AM
To: bstern@kelleydrye.com
Subject: FOIA Control No. 2020-0096

Good Morning,

It appears that this letter was not received. I am attempting to retransmit. A fee estimate is being compiled, as a result of our search for your request. I should have it to you this afternoon or tomorrow morning.

Please confirm receipt of this extension letter.

Thank you,

Brendon Ricketts

HQ Acquisition Liaison/Contracting Officer

Acquisition Policy and Oversight

Office of Acquisition & Grants Management

Federal Highway Administration

PH: (202) 366-9075

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