

# **EXHIBIT 24**

November 5, 2019

Lauren Hartz  
Tel +1 202 637 6363  
lhartz@jenner.com

**VIA MAIL**

Chairman, Appeals Review Panel  
c/o Information and Privacy  
Coordinator/Appeals Officer  
U.S. Department of State  
A/GIS/IPS/PP, SA-2  
Washington, DC 20522-8100

***Re: Freedom of Information Act Appeal***

Chairman, Appeals Review Panel:

We represent Huawei Technologies Co., Ltd. and Huawei Device USA Inc. (together, "Huawei"). This is an appeal from the failure of the U.S. Department of State ("State") to respond to our Freedom of Information Act ("FOIA") Request filed on Huawei's behalf on June 7, 2019. A copy of our email submitting the FOIA Request as well as the FOIA request itself are attached as Exhibits A and B. This appeal is filed pursuant to 5 U.S.C. § 552(a)(6) on the grounds that State has failed to respond to our request within 30 business days, as required under FOIA.

**STATEMENT OF FACTS**

On June 7, 2019, Huawei submitted a FOIA request to State (Exhibits A and B) requesting documents from the State Department's representatives to the End-User Review Committee ("ERC"). We have not a response to our FOIA Request, nor have we received a tracking number for the request.

**BASIS OF APPEAL**

Under 5 U.S.C. § 552, an agency must make a determination within 20 business days of receiving the FOIA request, or 30 business days in the case of "unusual circumstances." To make a determination, an agency must at least: (i) gather and review documents; (ii) determine and communicate the scope of the documents it intends to produce and withhold and the reasons for withholding any documents; and (iii) inform the requester that it can appeal whatever portion of the determination is adverse. *Citizens for Responsibility & Ethics in Washington v. Fed. Election Comm'n*, 711 F.3d 180, 189 (D.C. Cir. 2013). No such determination has been made with respect to the State FOIA Request. Where, as here, an agency fails to make a timely determination in response to a FOIA request, the requesting party may file an administrative appeal.

Although State is obligated to respond to our FOIA request regardless, we have good reason to believe that State possesses documents responsive to our request. The third bullet of our June 7,

Chairman, Appeals Review Panel  
November 5, 2019  
Page 2

2019 request specifically requests “[a]ll materials prepared or received by the End-User Review Committee or its staff pertaining to the addition of Huawei and/or affiliates of Huawei to the Entity List, dated on or between January 1, 2018 and the present.” *See* Exhibit B. Given that State has a Representative on the ERC and that on May 15, 2019 the ERC added Huawei to the Entity List, State must have documents responsive to our requests.<sup>1</sup>

As an alternative to bringing an administrative appeal, a requester is deemed to have exhausted its administrative remedies and may bring a federal district court lawsuit where an agency has not made a timely determination in response to a FOIA request. In an effort to work cooperatively with State, rather than exercise our right to file a federal lawsuit at this time, we have filed this administrative appeal, the merit of which is clear. Given the lapse of time, we ask that State be directed to fulfill the State FOIA Request forthwith.

Thank you for your prompt attention to this appeal. I am available via telephone at (202) 637-6363, or via email at [LHartz@jenner.com](mailto:LHartz@jenner.com).

Sincerely,



Lauren Hartz

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<sup>1</sup> *Commerce Adds Huawei Technologies Co. Ltd. to the Entity List*, Bloomberg (May 15, 2019) available at <https://www.bloomberg.com/press-releases/2019-05-15/commerce-adds-huawei-technologies-co-ltd-to-the-entity-list>.

# **Exhibit A**

May 1, 2019

Lauren Hartz  
Tel +1 202 637 6363  
LHartz@jenner.com

VIA EMAIL

U. S. Department of State  
Office of Information Programs and Services  
A/GIS/IPS/RL  
SA-2, Suite 8100  
Washington, D. C. 20522-0208

**Re: Freedom of Information Act Request**

To Whom It May Concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, *et seq.*, I write on behalf of Huawei Technologies Co., Ltd., and Huawei Device USA Inc. to request the following from the State Department:

- All communications with the White House—including the President and any White House officials—pertaining to the United States’ investigation or prosecution of Huawei or Meng Wanzhou, the allegations against Huawei and Ms. Meng in the indictment issued in *United States v. Huawei Technologies Co., Ltd., et al.*, 18-CR-457 (S-2) (AMD) in the Eastern District of New York (the “EDNY Indictment”), the United States-China trade relationship, or 5G technology or competition (with reference to Huawei), dated on or between January 1, 2017 and the present.
- All materials and communications pertaining to the United States’ investigation or prosecution of Huawei or Meng Wanzhou or the allegations in the EDNY Indictment, dated on or between January 1, 2017 and the present.
- All communications with any Member(s) of Congress or their staff, including but not limited to Senator Tom Cotton, Senator Marco Rubio, Congressman Michael Conaway, or Senator James Risch, pertaining to Huawei or Meng Wanzhou, dated on or between January 1, 2017 and the present.
- All materials and communications pertaining to Attorney General Sessions’s China Initiative announced on November 1, 2018, and any planning stages or review of the Initiative, including materials and communications pertaining to the legal basis for or legality of the Initiative, dated on or between January 1, 2018 and the present. *See*

Attorney General Jeff Session[s]'s China Initiative Fact Sheet (Nov. 1, 2018), <https://www.justice.gov/opa/speech/file/1107256/download>.

- All communications with telecommunications company Ericsson, or any of its subsidiaries or affiliates, or telecommunications company Nokia Corporation, or any of its subsidiaries or affiliates, pertaining to Huawei or Meng Wanzhou, the United States' investigation or prosecution of Huawei or Ms. Meng, the allegations in the EDNY Indictment, or any United States policy pertaining to 5G technology, dated on or between August 1, 2012 and February 28, 2013, or on or between January 1, 2017 and the present.
- All communications with representatives or employees of Cisco Systems, Inc.; Motorola Solutions, Inc.; Motorola Mobility LLC; Nortel Networks Corp.; T-Mobile, Inc.; Quintel Technology Ltd.; InterDigital, Inc.; Lemko Corp.; Akhan Semiconductor Inc.; Qualcomm Incorporated; AT&T Inc.; HSBC Bank USA, N.A.; HSBC Holdings PLC; or any of their subsidiaries or affiliates, pertaining to Huawei or Meng Wanzhou, the United States' investigation or prosecution of Huawei or Ms. Meng, the allegations in the EDNY Indictment, or any United States policy pertaining to 5G technology, dated on or between January 1, 2017 and the present.
- All materials concerning and communications with and/or regarding Reuters journalists including Babak Dehghanpisheh, Karen Freifeld, Marcus George, Julie Gordon, Grace Li, James Pomfret, Steve Stecklow, or Chyen Yee Lee, pertaining to Huawei or Meng Wanzhou, including how any disclosures from HSBC or its federally appointed Corporate Compliance Monitor, Michael Cherkasky, contributed to the case against Huawei or Ms. Meng, dated on or between August 1, 2012 and February 28, 2013, or on or between October 1, 2018 and the present.
- All materials and communications pertaining to the meeting(s) reportedly held between Members of Congress—including Dutch Ruppersberger, Congressman Devin Nunes, Congresswoman Michele Bachmann, and Congressman Adam Schiff—and senior officials of Huawei, including Ren Zhengfei, in or around Hong Kong in May 2012. *See* House Permanent Select Comm. Intelligence, *Investigative Report on the U.S. National Security Issues Posed by Chinese Telecommunications Companies Huawei and ZTE 9* (Oct. 8, 2012), <https://www.hsdl.org/?abstract&did=722516>.
- All communications with the Royal Canadian Mounted Police, the Canada Border Services Agency, or any other Canadian authorities or agencies that participated in the investigation or arrest of Meng Wanzhou, or Canadian diplomatic authorities, pertaining to the investigation or arrest of Ms. Meng, dated on or between January 1, 2018 and the present.

May 1, 2019

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The term “materials” as used in these FOIA requests includes, but is not limited to, papers, instruments, data, documents, records, reports, memoranda, letters, agreements, employee notes, meeting notes, transcripts, and other documentary evidence, whether in paper form or stored on audiotape, videotape, computer, electronic, magnetic, or any other media. The term “communications” as used in these FOIA requests includes, but is not limited to, correspondence, emails, letters, faxes, and messages of any kind, including text, voicemail, video, or other electronic messages.

References to “Huawei” as used in these FOIA requests includes Huawei Technologies Co., Ltd.; Huawei Device USA Inc.; Huawei Device Co., Ltd.; FutureWei Technologies, Inc.; HiSilicon Technologies Co., Ltd.; and any U.S.-based subsidiaries or affiliates of the same.

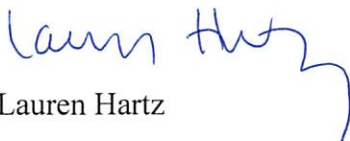
This is a commercial-use request. I agree on behalf of Huawei to pay all reasonable search, review, and reproduction costs incurred in connection with the processing of this request, but please contact me in the event that these costs will exceed \$1,000 so I can better understand the nature of the costs.

I request expedited processing of this request on the ground that the EDNY Indictment, the arrest of Ms. Meng, the United States-China trade relationship, and 5G technology and competition have been the subjects of widespread and exceptional media interest, and the information sought by this request involves possible questions about the government’s integrity that affect public confidence, as well as matters of general public and economic interest. I further request that a copy of the documents described above be provided by June 1, 2019, or alternatively, that you please contact me if you anticipate this request’s processing extending beyond that date.

Please send a copy of the requested documents to LHartz@Jenner.com where possible, and otherwise to Lauren Hartz, Jenner & Block LLP, 1099 New York Ave., NW, Suite 900, Washington, DC 20001-4412.

Thank you in advance for your assistance.

Sincerely,



Lauren Hartz

# **Exhibit B**



**From:** [FOIArequest](#)  
**To:** [Smith, Corinne M.](#)  
**Cc:** [Johnson, Katherine B.](#)  
**Subject:** Your FOIA case as discussed on June 18, 2019  
**Date:** Friday, June 21, 2019 9:01:45 AM

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External Email – Exercise Caution

Good Morning Ms. Smith,

Thank you for submitting your FOIA request. In an effort to speed processing, we have split your request into 2 separate requests based on the numbered parts detailed in your correspondence with Joseph De Maria. In other words, each numbered part has been assigned a case control number and will be processed as its own unique FOIA request. The case control numbers assigned are below:

Part I F-2019-07222

Part II F-2019-07223

Please note that in the coming days, you will be receiving a formal acknowledgment letter for each of the aforementioned requests. Should you have any questions regarding the status of your requests, you may contact our FOIA Requester Service Center or our FOIA Public Liaison via email at [FOIAstatus@state.gov](mailto:FOIAstatus@state.gov) or telephone at (202) 261-8484.

Sincerely,

Requester Communications Branch  
Office of Information Programs and Services  
U.S. Department of State

**Official**

**UNCLASSIFIED**

# Exhibit C

## Roberts, Tessa J.G.

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**From:** De Maria, Joseph <DeMariaJ@state.gov>  
**Sent:** Tuesday, June 18, 2019 3:43 PM  
**To:** Smith, Corinne M.  
**Cc:** Segesvary, Louis S; Browning, Kristi L; Johnson, Katherine B.  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution  
OK.

Thanks.

Official  
UNCLASSIFIED

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**From:** Smith, Corinne M. <CSmith@jenner.com>  
**Sent:** Tuesday, June 18, 2019 3:37 PM  
**To:** De Maria, Joseph <DeMariaJ@state.gov>  
**Cc:** Segesvary, Louis S <SegesvaryLS@state.gov>; Browning, Kristi L <BrowningKL@state.gov>; Johnson, Katherine B. <KBJohnson@jenner.com>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Thanks, Mr. De Maria. But just one change – for Request II, number 3 below, we'd like to remove the "Reuters AND" from each term, and just search the journalists' full names.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Tuesday, June 18, 2019 3:06 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution

We will proceed with two FOIA request as outlined here. You will receive confirmation letters with case numbers you can use with future correspondence.

Thanks.

FOIA Request I

1. "Huawei" "FutureWei" "HiSilicon" - 1 Jan 17 – Present.
2. "Meng Wanzhou" "Sabrina Meng" "Cathy Meng" "Meng, Sabrina" "Meng, Cathy" - 1 Jan 17 – Present.

4. "China Initiative AND Attorney General" "China Initiative AND Sessions" "China Initiative AND DOJ" "China Initiative AND Justice" - 1 Jan 18 – Present.

5. "Constable Yep" "Cst. Yep" "Winston Yep" – 1 Jan 18 – Present.

## FOIA Request II

1. "5G AND Ericsson" "5G AND Nokia" – 1 Aug 12 – 28 Feb 13; 1 Jan 17 – Present.

2. 5G AND Cisco" "5G AND Nortel" "5G AND T-Mobile" "5G AND Quintel" "5G AND InterDigital" "5G AND Lemko" "5G AND Akhan" " 5G AND Qualcomm" "5G AND AT&T" "5G AND HSBC" "5G AND Motorola" – 1 Jan 17 – Present.

3. "Reuters AND Babak Dehghanpisheh" "Reuters AND Dehghanpishek, Babak" "Reuters AND Karen Freifeld" "Reuters AND Freifeld, Keren" "Reuters AND Marcus George" "Reuters AND George, Marcus" "Reuters AND Julie Gordon" "Reuters AND Gordon, Julie" "Reuters AND Grace Li" "Reuters AND Li, Grace" "Reuters AND James Pomfret" "Reuters AND Pomfret, James" " Reuters AND Steve Stecklow" "Reuters AND Stecklow, Steve" "Reuters AND Chyen Yee Lee" "Reuters AND Lee, Chyen Yee" - 1 Aug 12 – 28 Feb 13;1 Oct 18 – Present.

4. "Zhengfei AND Ruppertsberger" "Zhengfei AND Nunes" " Zhengfei AND Bachman" " Zhengfei AND Schiff" – 1 Mar 12 – 1 Jun 12.

5. "Royal Canadian Mounted Police AND Huawei" "Royal Canadian Mounted Police AND Meng" "RCMP AND Huawei" "RCMP AND Meng" "Mounties AND Huawei" "Mounties AND Meng" "Canadian Border Services Agency AND Huawei" Canadian Border Services Agency AND Meng" "CBSA AND Huawei" "CBSA AND Meng" "justice.gc.ca AND Huawei" "justice.gc.ca AND Meng" "rcmp-grc.gc.ca AND Huawei" "rcmp-grc.gc.ca AND Meng" "cbasc.gc.ca AND Huawei" "cbasc.gc.ca AND Meng" "cbsa-asfc.gc.ca AND Huawei" "cbsa-asfc.gc.ca AND Meng" - 1 Jan 18 – Present.

## **Official**

**UNCLASSIFIED**

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>

**Sent:** Tuesday, June 18, 2019 12:45 PM

**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>

**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>

**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

We have just a couple of minor changes to the list of terms:

1. For number 2 in your list (attached), we'd like to add "Meng, Sabrina" and "Meng, Cathy."
2. For number 8, we'd like to search for each journalist's full name – in the format "First Last" and "Last, First" – without the Reuters modifier.

Please let me know if that works and/or if you have any questions.

Thanks again for your help,

Corey

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**From:** Smith, Corinne M.  
**Sent:** Friday, June 14, 2019 3:57 PM  
**To:** 'De Maria, Joseph' <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Thanks very much, Mr. De Maria. Adding my colleague Katie Johnson. We would like to break our request into two requests – the first for the Tier 1 terms and the second for the Tier 2 terms. I'll review these terms with my team and let you know if we have any changes.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Friday, June 14, 2019 3:44 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

**External Email – Exercise Caution**

It was good talking to you Wednesday and gaining greater clarity on your FOIA request filed on 1 May 2019. As I noted, the way it was originally presently constituted, with nine paragraphs, made it very burdensome to process. But if we reformulate it along the following lines we discussed, we will still have the substantial content that you are looking for but with sharpened focus and specificity. It will make the searches of our data bases much more manageable.

Please consider the attached outline based on our discussion Wednesday. As we discussed, quotation marks indicate discrete searches. Please revise point 8 as you wish, my notes from Wednesday are not clear. Please let me know if all is acceptable to you. If so, we can begin searching our records.

Also, you were going to confirm if we can break your request into two requests, summarized as Tier 1 and Tier 2, so you can receive the more urgent documents soonest. Please advise.

Thanks.

**Official**  
**UNCLASSIFIED**

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**From:** De Maria, Joseph  
**Sent:** Tuesday, June 11, 2019 11:27 AM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** [KBJohnson@jenner.com](mailto:KBJohnson@jenner.com); [LHartz@jenner.com](mailto:LHartz@jenner.com); Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

The request below looks good. I have outlined it myself, attached, see if you concur.

We have a few more pieces and I think we're ready to begin:

- It would help us understand what you need if you could summarize in one phrase or sentence an overarching theme or common subject to all these queries.
- Would you like to submit your Tier 1 concerns as one request and your Tier 2 concerns as another, separate request?
- Your last query, regarding Canadian law enforcement, is still way too broad. Having served at a border post myself (Nuevo Laredo, Mexico), I can assure you our consulates throughout Canada, Embassy Ottawa and Department of State HQ in Washington are in contact numerous times per day with Canadian law enforcement on a broad range of issues which have nothing to do with your client (e.g. parental abduction, smuggling cigarettes, teenage runaways, etc.). I suggest adding "AND" modifiers for "Huawei" and "Meng." For example: "Royal Canadian Mounted Police AND Huawei" "RCMP AND Meng."

Give me a call if you'd like to discuss. I'll be in all day today, except lunchtime, and all day tomorrow at (202) 663 – 9016.

Thanks.

**Official**  
**UNCLASSIFIED**

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**From:** De Maria, Joseph  
**Sent:** Thursday, June 6, 2019 3:39 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Let us discuss this and we'll get back to you. It looks much more manageable than before.

Thanks.

**Official**  
**UNCLASSIFIED**

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Thursday, June 6, 2019 2:38 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

I'm looping in my colleagues Lauren Hartz and Katie Johnson. Apologies for the delay in getting back to you. Below please find our proposed search terms for this FOIA request. As you'll see, we've organized the terms into tiers. We propose that the "Tier 1" terms be prioritized ahead of the "Tier 2" terms. My hope is that we can keep in touch regarding what each tier of terms yields as you work through these.

Thanks very much,  
Corey

<b>Terms</b>	<b>Timeframe(s) – on or between the following dates</b>
<b>Tier 1 Terms</b>	
Huawei or FutureWei or HiSilicon	January 1, 2017 and the present
Meng & (Wanzhou or Sabrina or Cathy)	January 1, 2017 and the present
“China Initiative” & (“Attorney General” or Sessions or DOJ or Justice)	January 1, 2018 and the present
“Constable Yep” or “Cst. Yep” or “Winston Yep”	January 1, 2018 and the present
<b>Tier 2 Terms</b>	
5G & (Ericsson or Nokia)	August 1, 2012 and February 28, 2013 January 1, 2017 and the present
5G & (Cisco or Motorola or Nortel or T-Mobile or Quintel or InterDigital or Lemko or Akhan or Qualcomm or AT&T or HSBC)	January 1, 2017 and the present
Reuters or Dehghanpisheh or Freifeld or “Marcus George” or “Julie Gordon” or “Grace Li” or Pomfret or Stecklow or “Chyen Lee” or “Chyen Yee Lee”	August 1, 2012 and February 28, 2013 October 1, 2018 and the present
Zhengfei & (Ruppersberger or Nunes or Bachmann or Schiff)	March 1, 2012 and June 1, 2012
“Royal Canadian Mounted Police” or RCMP or Mounties or “Canada Border Services Agency” or CBSA or “justice.gc.ca” or “rcmp-grc.gc.ca” or “cbasc.gc.ca” or “cbsa-asfc.gc.ca”  [Note: Please search for these terms in email domains as well as other text.]	January 1, 2018 and the present

**From:** Smith, Corinne M.

**Sent:** Friday, May 24, 2019 3:30 PM

**To:** 'De Maria, Joseph' <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>

**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

Thanks for following up. I expect to be able to get back to you next week on this. I hope you enjoy the holiday weekend.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Wednesday, May 22, 2019 1:50 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

**External Email – Exercise Caution**

Just following up on our conversation Friday afternoon. We're waiting for a revised request. Please call or e-mail if you want to discuss further.

Thanks.

**Personal**  
**UNCLASSIFIED**

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**From:** De Maria, Joseph  
**Sent:** Thursday, May 16, 2019 8:19 AM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

3:00 pm Friday would be good. I will call you at the number below.

Thanks.

**Official**  
**UNCLASSIFIED**

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Wednesday, May 15, 2019 4:24 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

Thanks for your email. I am Ms. Hartz's colleague and would be happy to discuss this request with you. I am fairly tied up over the next couple of days, but I could speak between 3:00 and 5:00 on Friday. Please let me know when in that window might work for you. My number is 202-637-6395.



Thanks,

Corey Smith

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**From:** Hartz, Lauren J.  
**Sent:** Wednesday, May 15, 2019 4:19 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Wednesday, May 15, 2019 4:16 PM  
**To:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** FOIA Request Regarding Huawei and Meng Wanzhou

**External Email – Exercise Caution**

I am from the FOIA Office at the Department of State. I'd like to set a time Thursday or Friday when we can discuss your FOIA request dated 1 May 2019 regarding Huawei and Meng Wanzhou. Please let me know a good time and number to call.

Thanks.

**Official**  
**UNCLASSIFIED**

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**Lauren J. Hartz**

**Jenner & Block LLP**  
1099 New York Avenue, NW  
Suite 900, Washington, DC 20001-4412 | [jenner.com](http://jenner.com)  
+1 202 637 6363 | TEL  
[LHartz@jenner.com](mailto:LHartz@jenner.com)  
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# Exhibit D

## Roberts, Tessa J.G.

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**From:** FOIA Status <FOIAStatus@state.gov>  
**Sent:** Tuesday, September 17, 2019 2:24 PM  
**To:** Roberts, Tessa J.G.  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

External Email – Exercise Caution  
Ms. Tessa,

This is in response to your email below. The Office of Information Programs and Services will soon provide you with an update on your estimated date of completion for your FOIA case numbers F-2019-07222 and F-2019-07223 as soon as that information becomes available.

We appreciate your continued patience.

If you have further concerns or any questions regarding any FOIA-related matter, please contact the FOIA Requester Service Center (FRSC) at 202-261-8484 or send an e-mail to [foiastatus@state.gov](mailto:foiastatus@state.gov).

Regards,

U.S. Department of State  
FOIA Requester Service Center

Unclassified

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**From:** Roberts, Tessa J.G.  
**Sent:** Friday, September 6, 2019 2:46 PM  
**To:** FOIA Status  
**Cc:** Johnson, Katherine B.  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Thanks for your email. Can you please let us know when we can expect to receive the results of the search?

Best,  
Tessa

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**From:** FOIA Status [<mailto:FOIAStatus@state.gov>]  
**Sent:** Tuesday, August 20, 2019 12:33 PM  
**To:** Roberts, Tessa J.G. <[TRoberts@jenner.com](mailto:TRoberts@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution  
Ms. Roberts,

This is in response to your email below concerning FOIA case control numbers F-2019-07222 and F-2019-07223. You will be notified of the results of the Department's search and review efforts in response to this request as soon as that information becomes available.

The requests is still in process. Your request for an estimated date of completion (EDC) for the two cases has been noted.

If you have further concerns or any questions regarding any FOIA-related matter, please contact the FOIA Requester Service Center (FRSC) at 202-261-8484 or send an e-mail to [foiastatus@state.gov](mailto:foiastatus@state.gov).

Regards,  
U.S. Department of State  
FOIA Requester Service Center

**Official - Transitory**  
**UNCLASSIFIED**

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**From:** Roberts, Tessa J.G. <[TRoberts@jenner.com](mailto:TRoberts@jenner.com)>  
**Sent:** Friday, August 16, 2019 12:34 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>; Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Good afternoon,

I am a colleague of Corey's that will be handling this request while she is on leave. Can you please let us know when we can expect to receive the results of the search terms we sent on June 18, 2019? The FOIA request numbers are F-2019-07222 and 2019-07223.

Thanks very much,

Tessa Roberts

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Tuesday, June 18, 2019 3:43 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution

OK.

Thanks.

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Tuesday, June 18, 2019 3:37 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Thanks, Mr. De Maria. But just one change – for Request II, number 3 below, we’d like to remove the “Reuters AND” from each term, and just search the journalists’ full names.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Tuesday, June 18, 2019 3:06 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

**External Email – Exercise Caution**

We will proceed with two FOIA request as outlined here. You will receive confirmation letters with case numbers you can use with future correspondence.

Thanks.

FOIA Request I

1. “Huawei” “FutureWei” “HiSilicon” - 1 Jan 17 – Present.
2. “Meng Wanzhou” “Sabrina Meng” “Cathy Meng” “Meng, Sabrina” “Meng, Cathy” - 1 Jan 17 – Present.
4. “China Initiative AND Attorney General” “China Initiative AND Sessions” “China Initiative AND DOJ” “China Initiative AND Justice” - 1 Jan 18 – Present.
5. “Constable Yep” “Cst. Yep” “Winston Yep” – 1 Jan 18 – Present.

FOIA Request II

1. “5G AND Ericsson” “5G AND Nokia” – 1 Aug 12 – 28 Feb 13; 1 Jan 17 – Present.
2. 5G AND Cisco” “5G AND Nortel” “5G AND T-Mobile” “5G AND Quintel” “5G AND InterDigital” “5G AND Lemko” “5G AND Akhan” “ 5G AND Qualcomm” “5G AND AT&T” “5G AND HSBC” “5G AND Motorola” – 1 Jan 17 – Present.
3. “Reuters AND Babak Dehghanpisheh” “Reuters AND Dehghanpishek, Babak” “Reuters AND Karen Freifeld” “Reuters AND Freifeld, Keren” “Reuters AND Marcus George” “Reuters AND George, Marcus” “Reuters AND Julie Gordon” “Reuters AND Gordon, Julie” “Reuters AND Grace Li” “Reuters AND Li, Grace” “Reuters AND James Pomfret” “Reuters AND Pomfret, James” “ Reuters AND Steve Stecklow” “Reuters AND Stecklow, Steve” “Reuters AND Chyen Yee Lee” “Reuters AND Lee, Chyen Yee” - 1 Aug 12 – 28 Feb 13; 1 Oct 18 – Present.

4. “Zhengfei AND Ruppertsberger” “Zhengfei AND Nunes” “ Zhengfei AND Bachman” “ Zhengfei AND Schiff” – 1 Mar 12 – 1 Jun 12.

5. “Royal Canadian Mounted Police AND Huawei” “Royal Canadian Mounted Police AND Meng” “RCMP AND Huawei” “RCMP AND Meng” “Mounties AND Huawei” “Mounties AND Meng” “Canadian Border Services Agency AND Huawei” “Canadian Border Services Agency AND Meng” “CBSA AND Huawei” “CBSA AND Meng” “justice.gc.ca AND Huawei” “justice.gc.ca AND Meng” “rcmp-grc.gc.ca AND Huawei” “rcmp-grc.gc.ca AND Meng” “cbasc.gc.ca AND Huawei” “cbasc.gc.ca AND Meng” “cbsa-asfc.gc.ca AND Huawei” “cbsa-asfc.gc.ca AND Meng” - 1 Jan 18 – Present.

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Tuesday, June 18, 2019 12:45 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

We have just a couple of minor changes to the list of terms:

1. For number 2 in your list (attached), we’d like to add “Meng, Sabrina” and “Meng, Cathy.”
2. For number 8, we’d like to search for each journalist’s full name – in the format “First Last” and “Last, First” – without the Reuters modifier.

Please let me know if that works and/or if you have any questions.

Thanks again for your help,

Corey

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**From:** Smith, Corinne M.  
**Sent:** Friday, June 14, 2019 3:57 PM  
**To:** 'De Maria, Joseph' <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Thanks very much, Mr. De Maria. Adding my colleague Katie Johnson. We would like to break our request into two requests – the first for the Tier 1 terms and the second for the Tier 2 terms. I’ll review these terms with my team and let you know if we have any changes.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Friday, June 14, 2019 3:44 PM

**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

**External Email – Exercise Caution**

It was good talking to you Wednesday and gaining greater clarity on your FOIA request filed on 1 May 2019. As I noted, the way it was originally presently constituted, with nine paragraphs, made it very burdensome to process. But if we reformulate it along the following lines we discussed, we will still have the substantial content that you are looking for but with sharpened focus and specificity. It will make the searches of our data bases much more manageable.

Please consider the attached outline based on our discussion Wednesday. As we discussed, quotation marks indicate discrete searches. Please revise point 8 as you wish, my notes from Wednesday are not clear. Please let me know if all is acceptable to you. If so, we can begin searching our records.

Also, you were going to confirm if we can break your request into two requests, summarized as Tier 1 and Tier 2, so you can receive the more urgent documents soonest. Please advise.

Thanks.

**Official**  
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**From:** De Maria, Joseph  
**Sent:** Tuesday, June 11, 2019 11:27 AM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** [KBJohnson@jenner.com](mailto:KBJohnson@jenner.com); [LHartz@jenner.com](mailto:LHartz@jenner.com); Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Browning, Kristi L <[BrowningKL@state.gov](mailto:BrowningKL@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

The request below looks good. I have outlined it myself, attached, see if you concur.

We have a few more pieces and I think we're ready to begin:

- It would help us understand what you need if you could summarize in one phrase or sentence an overarching theme or common subject to all these queries.
- Would you like to submit your Tier 1 concerns as one request and your Tier 2 concerns as another, separate request?
- Your last query, regarding Canadian law enforcement, is still way too broad. Having served at a border post myself (Nuevo Laredo, Mexico), I can assure you our consulates throughout Canada, Embassy Ottawa and Department of State HQ in Washington are in contact numerous times per day with Canadian law enforcement on a broad range of issues which have nothing to do with your client (e.g. parental abduction, smuggling cigarettes, teenage runaways, etc.). I suggest adding "AND" modifiers for "Huawei" and "Meng." For example: "Royal Canadian Mounted Police AND Huawei" "RCMP AND Meng."

Give me a call if you'd like to discuss. I'll be in all day today, except lunchtime, and all day tomorrow at (202) 663 – 9016.

Thanks.

**Official**

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**From:** De Maria, Joseph  
**Sent:** Thursday, June 6, 2019 3:39 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Let us discuss this and we'll get back to you. It looks much more manageable than before.

Thanks.

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Thursday, June 6, 2019 2:38 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>; Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>; Johnson, Katherine B. <[KBJohnson@jenner.com](mailto:KBJohnson@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

I'm looping in my colleagues Lauren Hartz and Katie Johnson. Apologies for the delay in getting back to you. Below please find our proposed search terms for this FOIA request. As you'll see, we've organized the terms into tiers. We propose that the "Tier 1" terms be prioritized ahead of the "Tier 2" terms. My hope is that we can keep in touch regarding what each tier of terms yields as you work through these.

Thanks very much,  
Corey

<b>Terms</b>	<b>Timeframe(s) – on or between the following dates</b>
<b>Tier 1 Terms</b>	
Huawei or FutureWei or HiSilicon	January 1, 2017 and the present
Meng & (Wanzhou or Sabrina or Cathy)	January 1, 2017 and the present
"China Initiative" & ("Attorney General" or Sessions or DOJ or Justice)	January 1, 2018 and the present
"Constable Yep" or "Cst. Yep" or "Winston Yep"	January 1, 2018 and the present
<b>Tier 2 Terms</b>	
5G & (Ericsson or Nokia)	August 1, 2012 and February 28, 2013 January 1, 2017 and the present



5G & (Cisco or Motorola or Nortel or T-Mobile or Quintel or InterDigital or Lemko or Akhan or Qualcomm or AT&T or HSBC)	January 1, 2017 and the present
Reuters or Dehghanpisheh or Freifeld or "Marcus George" or "Julie Gordon" or "Grace Li" or Pomfret or Stecklow or "Chyen Lee" or "Chyen Yee Lee"	August 1, 2012 and February 28, 2013 October 1, 2018 and the present
Zhengfei & (Ruppersberger or Nunes or Bachmann or Schiff)	March 1, 2012 and June 1, 2012
"Royal Canadian Mounted Police" or RCMP or Mounties or "Canada Border Services Agency" or CBSA or "justice.gc.ca" or "rcmp-grc.gc.ca" or "cbasc.gc.ca" or "cbsa-asfc.gc.ca"  [Note: Please search for these terms in email domains as well as other text.]	January 1, 2018 and the present

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**From:** Smith, Corinne M.  
**Sent:** Friday, May 24, 2019 3:30 PM  
**To:** 'De Maria, Joseph' <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

Thanks for following up. I expect to be able to get back to you next week on this. I hope you enjoy the holiday weekend.

Thanks,

Corey

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Wednesday, May 22, 2019 1:50 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Segesvary, Louis S <[SegesvaryLS@state.gov](mailto:SegesvaryLS@state.gov)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution

Just following up on our conversation Friday afternoon. We're waiting for a revised request. Please call or e-mail if you want to discuss further.

Thanks.

**Personal**  
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**From:** De Maria, Joseph  
**Sent:** Thursday, May 16, 2019 8:19 AM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Cc:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

3:00 pm Friday would be good. I will call you at the number below.

Thanks.

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**From:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Sent:** Wednesday, May 15, 2019 4:24 PM  
**To:** De Maria, Joseph <[DeMariaJ@state.gov](mailto:DeMariaJ@state.gov)>  
**Cc:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** RE: FOIA Request Regarding Huawei and Meng Wanzhou

Hi Mr. De Maria,

Thanks for your email. I am Ms. Hartz's colleague and would be happy to discuss this request with you. I am fairly tied up over the next couple of days, but I could speak between 3:00 and 5:00 on Friday. Please let me know when in that window might work for you. My number is 202-637-6395.

Thanks,

Corey Smith

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**From:** Hartz, Lauren J.  
**Sent:** Wednesday, May 15, 2019 4:19 PM  
**To:** Smith, Corinne M. <[CSmith@jenner.com](mailto:CSmith@jenner.com)>  
**Subject:** FW: FOIA Request Regarding Huawei and Meng Wanzhou

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**From:** De Maria, Joseph [<mailto:DeMariaJ@state.gov>]  
**Sent:** Wednesday, May 15, 2019 4:16 PM  
**To:** Hartz, Lauren J. <[LHartz@jenner.com](mailto:LHartz@jenner.com)>  
**Subject:** FOIA Request Regarding Huawei and Meng Wanzhou

External Email – Exercise Caution

I am from the FOIA Office at the Department of State. I'd like to set a time Thursday or Friday when we can discuss your FOIA request dated 1 May 2019 regarding Huawei and Meng Wanzhou. Please let me know a good time and number to call.

Thanks.

**Official**  
**UNCLASSIFIED**

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**Lauren J. Hartz**

**Jenner & Block LLP**  
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[Download V-Card](#) | [View Biography](#)

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