

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR**

Freedom of Information Act Appeal: 2011-02

January 18, 2011

Ryan Kearney

Dear Mr. Kearney:

This letter is to notify you that on December 21, 2010, we received your administrative appeal, concerning information related to a collision involving a Metropolitan Police Department (“MPD”) vehicle and another auto associated with the “Transformers 3” movie set (the “Appeal”), to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (a) (2001) (the “DC FOIA”).¹ The present action challenges the propriety of MPD’s withholding of records in response to your request for said records pursuant to DC FOIA dated November 1, 2010 (“FOIA Request”).

By letter dated December 10, 2010, MPD denied Appellant’s FOIA Request on the grounds that the material was the subject of an ongoing law enforcement investigation and thus protected by D.C. Official Code § 2-534(a) 3(A) (2001). On January 7, 2011, MPD supplemented its initial response by releasing to Appellant over a dozen pages of responsive documentation, including MPD’s original accident report, an investigative memorandum related to the accident, and a statement of the cost of damage caused to the MPD vehicle.

Based on the foregoing, we will now consider your Appeal to be MOOT, and it is hereby DISMISSED, without prejudice. Should you have additional questions, do not hesitate to contact me.

Sincerely,

Brian K. Flowers, Esq.
General Counsel to the Mayor

cc: Ron Harris, Esq., MPD

¹ Talib I. Karim, Esq., Acting Special Counsel with the Office of the General Counsel to the Mayor participated in the preparation of this decision.