

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2017-84**

June 14, 2017

VIA ELECTRONIC MAIL

Mr. Douglas Jackson

RE: FOIA Appeal 2017-84

Dear Mr. Jackson:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (“DC FOIA”). Your appeal is based on the denial you received from the Department of Insurance, Securities, and Banking (“DISB”) with respect to your request for records related to the preparation to file criminal charges against certain companies in 2006 and 2007.

On March 23, 2017, you submitted your FOIA request to DISB. On May 2, 2017, you received DISB’s response that no responsive records were found. You appealed DISB’s response stating your belief that responsive records should exist. Further, you argue that if responsive records do exist the records should be disclosed because the case the records pertain to has been closed.

Upon receipt of your appeal, this Office notified DISB and requested an explanation for its denial. DISB responded on June 13, 2017, indicating that additional information submitted with your appeal allowed DISB to located responsive records. It is our understanding that DISB has provided those records to you with redactions to protect personal privacy pursuant to D.C. Official Code § 2-534(a)(2). Further, it is our understanding that DISB is processing additional email searches and will provide you with non-exempt responsive records, subject to redaction.

In light of DISB’s disclosure and representation that it will continue processing your request, we consider your appeal to be moot and hereby dismiss it. The dismissal shall be without prejudice, however, and you are free to assert any challenge by separate appeal to the substantive response you receive from DISB.

This constitutes the final decision of this office. If you are dissatisfied with this decision, you may commence a civil action in the Superior Court of the District of Columbia in accordance with the DC FOIA.

Respectfully,

Mayor's Office of Legal Counsel

cc: M. Claudine Alula, Paralegal Specialist and FOIA Coordinator, DISB (via email)