

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR**



Mayor's Office of Legal Counsel

October 5, 2017

VIA ELECTRONIC MAIL

Corey S. Mishler

RE: FOIA Appeal 2018-003

Dear Mr. Mishler:

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"), on the grounds that the Office of Contracting and Procurement ("OCP") failed to respond to your August 28, 2017 request for a particular contract.

This Office contacted OCP on October 3, 2017, and notified the agency of your appeal. OCP responded on October 4, 2017, advising us that it provided you with the requested contract by mail on September 28, 2017, and again via email on October 3, 2017, upon being notified of your appeal.¹

Since your appeal was based on OCP's failure to respond to your request, and the agency has now responded, we consider your appeal to be moot. Your appeal is hereby dismissed; however, the dismissal shall be without prejudice. You are free to assert any challenge, by separate appeal to this Office, to the substantive response OCP sent you.

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

Respectfully,

Mayor's Office of Legal Counsel

cc: D. Ryan Koslosky, Associate General Counsel, OCP (via email)

¹ A copy of OCP's response is attached.