

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR



Office of the General Counsel to the Mayor

February 1, 2007

[Redacted]
Washington, D.C. 20000

Re: FOIA Appeal

Dear [Redacted]

This letter acknowledges receipt of your letter, dated January 22, 2007 and received in this office January 23, 2007. In your letter, you make an appeal to the Mayor's Correspondence Unit based on a lack of response to your FOIA requests made verbally to the Department of Small and Local Business Development ("DSLBD") on December 21, 2006 and in writing on December 22, 2006. We forwarded a copy of your letter to DSLBD on January 23, 2007 seeking a response. A response was received from DSLBD in this office on January 26, 2007, and delivered by DSLBD to you electronically and via U.S. Mail on January 31, 2007.

Per D.C. Freedom of Information Act (the "FOIA"), D.C. Official Code — §§ 2-531 et seq. (2001 & 2006 Supp.) any appeals made to our office are to be reviewed and adjudicated within ten (10) days of receipt (excluding Saturdays, Sundays and legal holidays). Therefore, a determination would be due on February 6, 2007. It would include an analysis of: (i) the appeal and (ii) the actions of the underlying agency.

However, the record now obviates the need for a determination. The basis of the appeal is that DSLBD did not respond to the original FOIA request. The agency has now voluntarily delivered that response so the appeal is moot. We make no determination, at this time, as to the sufficiency of either the appeal or the response delivered by DSLBD.

Under the FOIA, you may exercise your rights to appeal the substance of DSLBD's response if you claim that the response is non-responsive to your FOIA request. You may appeal to this office, or seek immediate judicial review in the D.C. Superior Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew T. Richardson, III", is written over a horizontal line.

Andrew T. "Chip" Richardson, III
Deputy General Counsel, EOM

cc: Erik Moses, Esq.
Interim Director, DSLBD

Shelley Merchant
FOIA Officer, DSLBD