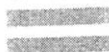


GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR

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Office of the General Counsel to the Mayor

May 31, 2007

VIA U.S. MAIL

[REDACTED]
Alexandria, Virginia 223 [REDACTED]

Re: Freedom of Information Act Appeal

Dear [REDACTED]

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act (the "FOIA"), D.C. Official Code § 2-531 *et seq.* (2001 & 2006 Supp.), dated April 4, 2007, and received in this office on April 13, 2007 (the "Appeal").

In an initial request to the Office of the Chief Financial Officer ("OCFO") dated February 22, 2007, you sought copies of sections of a proposal submitted by Martin & Wall, P.C., to be selected as an approved auditor of the District of Columbia public charter schools; and a matrix of scores by Reviewer II, OCFO 2. These requests related to an email you requested in response to an earlier FOIA request. That email was allegedly delivered to you by [REDACTED] from the District of Columbia Public Charter School Board. The OCFO denied your request in a letter, dated March 12, 2007, indicating that OCFO did not have the documents. You appealed.

We forwarded the Appeal to the OCFO with a request for a response. We also asked you to deliver to us for review copies of certain documents relied on by you in your appeal¹. Namely, a copy of the email from [REDACTED] and audit reports issued by Martin & Wall, P.C., for fiscal year 2005 for Eagle Academy and William E. Doar, Jr. public charter schools. This request was made in order to create a record to support your position that the documents requested were in the possession of the OCFO. You did not provide the requested information. However, OCFO responded to us by letter, dated May 9, 2007 (the "MPD Response"), reiterating their position that the documents are not in their possession, because they did not process the procurement. See attachment. Since the record does not contain any evidence to the contrary, your Appeal is hereby DISMISSED.

¹ A request for additional documents was made by email, dated April 13, 2007. An attempt was also made to fax the email to appellant but there was no communication from the fax machine.


Page 2

You are free to commence a civil action against the District of Columbia government in D.C. Superior Court.

Regards;



Andrew T. "Chip" Richardson, III
Deputy General Counsel to the Mayor

cc (by e-mail): Charles F. Barbera, Esq.
Deputy General Counsel
Office of the Chief Financial Officer

