

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

**ASBESTOS DISEASE AWARENESS
ORGANIZATION,**
1525 Aviation Boulevard, Suite 318,
Redondo Beach, California 90278

Plaintiff,

v.

NATIONAL PARK SERVICE,
1849 C Street, N.W., Washington, D.C.
20240;

DEPARTMENT OF THE INTERIOR,
1849 C Street, N.W., Washington, D.C.
20240;

**U.S. DEPARTMENT OF LABOR –
OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION,**
200 Constitution Avenue N.W.
Washington, D.C. 20210

**ENVIRONMENTAL PROTECTION
AGENCY**
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

**EXECUTIVE OFFICE OF THE
PRESIDENT**
1600 Pennsylvania Avenue, N.W.,
Washington, D.C. 20500

Defendants.

CIVIL ACTION NO. _____

COMPLAINT

PRELIMINARY STATEMENT

1. This action is filed under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.*, 28 U.S.C. §§ 2201, *et seq.*, by the [Asbestos Disease Awareness Organization](#) (“ADAO”),

the largest U.S. nonprofit dedicated to preventing asbestos exposure through education, advocacy, community initiatives and litigation.

2. By this suit, ADAO seeks to compel disclosure of all documents and other information regarding the release and removal of dangerous asbestos fibers during the October 2025 demolition of the White House East Wing.

3. Destruction of the East Wing was a critical step in President Trump’s ongoing project to construct a 90,000-square-foot ballroom on the White House grounds. The ballroom project has drawn widespread criticism because of the Administration’s lack of transparency and failure to observe preservation laws that protect the historic character of the White House, one of America’s most iconic buildings.

4. As an older structure that experienced significant repairs and renovations in the 1940s and 50s when asbestos was extensively used in building construction, the East Wing likely contained asbestos and other hazardous materials. Federal and District of Columbia regulations require extensive safeguards to protect workers and others from dangerous asbestos exposure during demolitions of such older structures, including government buildings like the White House

5. A White House spokesperson has acknowledged that, in September of 2025, a “very extensive abatement and remediation assessment” was performed to identify and address hazardous materials present in the East Wing. The spokesperson further asserted that “[a]ny hazardous material abatement” before and during demolition was conducted in “[compl[iance]] with all applicable federal standards.”

6. However, the Trump Administration has repeatedly refused to address whether this abatement work involved asbestos and, if so, what measures it took during and after demolition to protect workers, White House staff and visitors and passersby from unsafe asbestos exposure and to safely dispose of hazardous debris in accordance with federal standards.

7. On October 23, 2025, ADAO wrote to President Trump demanding the immediate public release of all environmental and occupational-safety documentation associated with the East Wing demolition. On November 5, 2025, after receiving no response, ADAO filed comprehensive FOIA requests with nine federal offices and agencies with possible involvement in the East Wing demolition. ADAO received only one response to these requests and no information was provided about hazardous material identification and abatement during the demolition.

8. By this Complaint, ADAO invokes the remedies provided by FOIA against five federal entities – the National Park Service (“NPS”), Department of Interior (“DOI”), Department of Labor (“DOL”), Environmental Protection Agency (“EPA”) and Executive Office of the President (“EOP”) – that failed to respond to its FOIA requests.

9. ADAO strongly believes that the White House should set the national standard for a transparent and safe process to remove asbestos and other hazardous materials during the renovation of historic federal buildings. When an Administration bypasses required safety procedures or withholds documentation of the measures it took to prevent harm, it erodes public trust and weakens protections required by law to safeguard the American people and public resources.

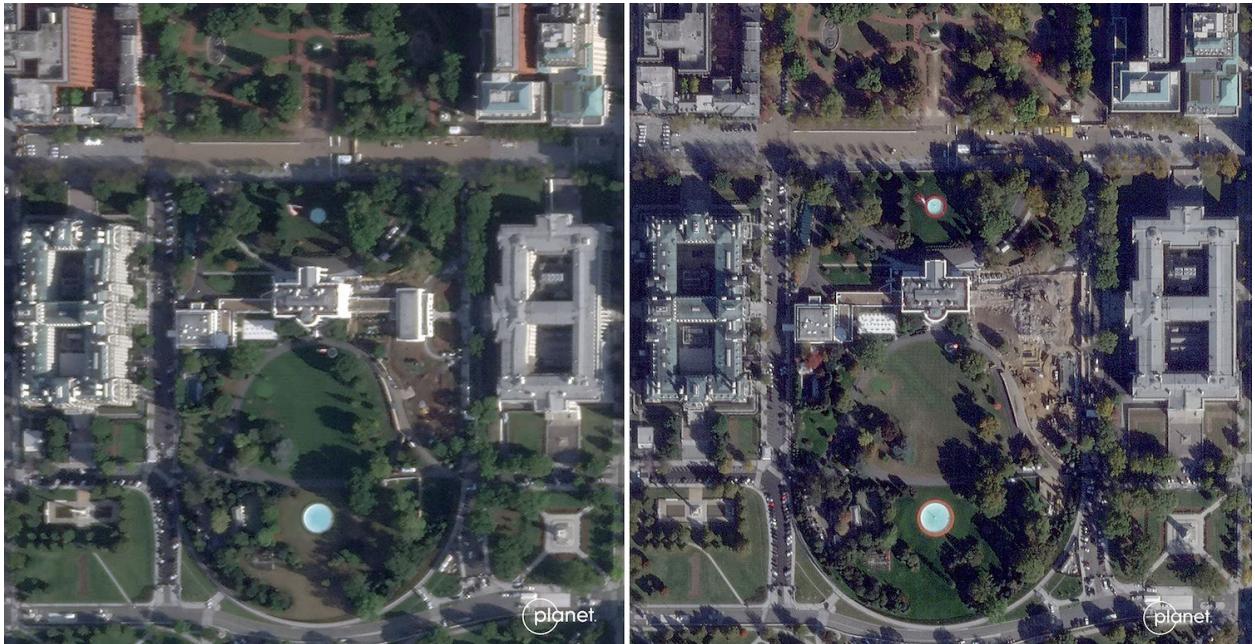


Figure 1 – Side-by-side satellite views of the White House grounds before and after the East Wing demolition, with the intact structure visible at left and the cleared rubble-filled construction zone visible at right. ABC News.

JURISDICTION AND VENUE

10. The Court has jurisdiction over this action under 5 U.S.C. § 552(a)(4)(B). The Court also has federal question jurisdiction over this action under 28 U.S.C. § 1331.

11. This District is a proper venue under 5 U.S.C. § 552(a)(4)(B) (providing for venue in FOIA cases where the plaintiff resides, or in the District of Columbia).

12. This Court has the authority to award reasonable costs and attorneys' fees under 5 U.S.C. § 552(a)(4)(E)(i).

PARTIES

13. Plaintiff ADAO is a non-profit organization whose mission is to prevent asbestos-caused diseases, including lung cancer, malignant mesothelioma, ovarian cancer, cancer of the larynx in humans, and asbestosis. ADAO works on many fronts to reduce and eliminate asbestos exposure. The tools it employs include public education, collaboration with grassroots

communities, and scientific analysis and research. ADAO also advocates for federal, state and local laws and regulations that protect against asbestos exposure and disease. To that end, it meets with federal agencies, comments on and speaks at stakeholder meetings regarding asbestos regulatory actions, testifies at legislative hearings, and meets with members of Congress and state and local officials.

14. In carrying out these tasks, ADAO works with a large network of partners and supporters, including scientists, medical and public health professionals, industrial workers, firefighters and other emergency responders, industrial hygienists, asbestos abatement experts, families who have lost loved ones to asbestos, and citizens living or working in proximity to sources of asbestos.

15. Defendant National Park Service (“NPS”) is a federal agency within the Department of the Interior that is responsible for management of the country’s national parks. NPS is headquartered in Washington, D.C. Among the properties it manages is the national park known as “The White House and President’s Park” (“President’s Park”) in Washington, D.C. The White House and its surrounding grounds are located in President’s Park. John Stanwich, an NPS employee, is the Superintendent of President’s Park.

16. Defendant Department of the Interior (“DOI”) is an executive department, headquartered in Washington D.C., that is charged by law with the management and conservation of most federal lands. DOI’s Secretary oversees the NPS and, in that capacity, is responsible for managing President’s Park, including the White House and surrounding grounds.

17. Defendant Department of Labor (“DOL”) is an executive department, headquartered in Washington D.C., whose mission is to promote and develop the welfare of the wage earners, job seekers, and retirees of the United States. DOL’s Occupational Safety and Health

Administration (“OSHA”) implements the Occupational Safety and Health (“OSH”) Act, which authorizes promulgation and enforcement of safety and health standards for the protection of workers. Several OSHA standards provide safeguards against unsafe worker exposure to asbestos, including in the repair, renovation and demolition of buildings.

18. Defendant Environmental Protection Agency (“EPA”), also headquartered in Washington D.C., is an agency of the United States charged by Congress with implementing and enforcing the nation’s environmental laws. Under the Clean Air Act (“CAA”) and other laws, EPA has promulgated and implements regulations governing the abatement of asbestos and other hazardous substances during building demolitions, renovations and repairs. These regulations apply to buildings owned and managed by the federal government. Through EPA Region 3 in Philadelphia, the Agency partners with the District of Columbia and other mid-Atlantic states in overseeing abatements of asbestos and other hazardous substances under federal and state law, including at federally owned buildings.

19. Defendant Executive Office of the President (“EOP”) is a complex of offices and agencies that provide the President with the advice, expertise and administrative support required to carry out the functions and duties of the Presidency and oversee the policies and programs of the Executive Branch. Its various components are housed at the White House West Wing and the adjoining Eisenhower Executive Office Building (“EEOB”). The Office of the Executive Residence (“EXR”) is part of EOP. In recent court filings, the Department of Justice has stated that EXR is responsible for overseeing and directing the White House ballroom project, including the demolition of the East Wing.

20. The five defendants are “agencies” subject to FOIA as defined by 5 U.S.C. §552(f)(1) and are charged with the duty to provide public access to records in their possession consistent with FOIA’s requirements.

WHITE HOUSE EAST WING DEMOLITION

21. [On July 31, 2025, the White House issued a press release announcing plans to build a “White House State Ballroom”](#) on the White House grounds to host “substantially more guests” than the current structure allows. The press release stated that “[t]he site of the new ballroom will be where the small, heavily changed, and reconstructed East Wing currently sits.” The release stated that “[t]he project will begin in September 2025.”



Figure 2 – View from the White House toward the North Lawn and Executive Avenue showing early demolition activity and tree removal at the former East Wing site. The Washington Post.

22. [According to an October 30, 2025 ABC News story](#), a White House official indicated that, in preparation for the demolition of the East Wing, "a very extensive abatement and remediation assessment was followed, complying with all applicable federal standards." The official added that "any hazardous material abatement was done in September," prior to the demolition.

23. ABC News further reported that. "[a]lthough White House officials would not say whether asbestos existed in the building, some experts suggest that its age and the era of its construction mean that it likely had the presence of the fiber. Originally completed in 1800, the building underwent major renovations in the 1940s and 50s, at the peak of asbestos use in buildings."

24. A declaration filed by President's Park Superintendent John Stanwich on December 15, 2025, confirmed that "abatement activities related to certain hazardous materials within the Project area were performed by Clark Construction during the months of September and October 2025." After completion of abatement, he said, "structural demolition of the East Wing and East Colonnade commenced on October 20, 2025."

25. [The Washington Post reported that, by October 23, 2025, the East Wing and its colonnade—which was built during the presidency of Thomas Jefferson—had been razed.](#) According to the Post, "dump trucks [were] rumbling the few miles between the White House and East Potomac Park, located on an island in the Potomac River, where they deposited sandy-colored debris. . . . [A]ccording to a person familiar with the project . . . , some of the dirt will be moved elsewhere, and some will be used to create mounds at the nearby public golf course."

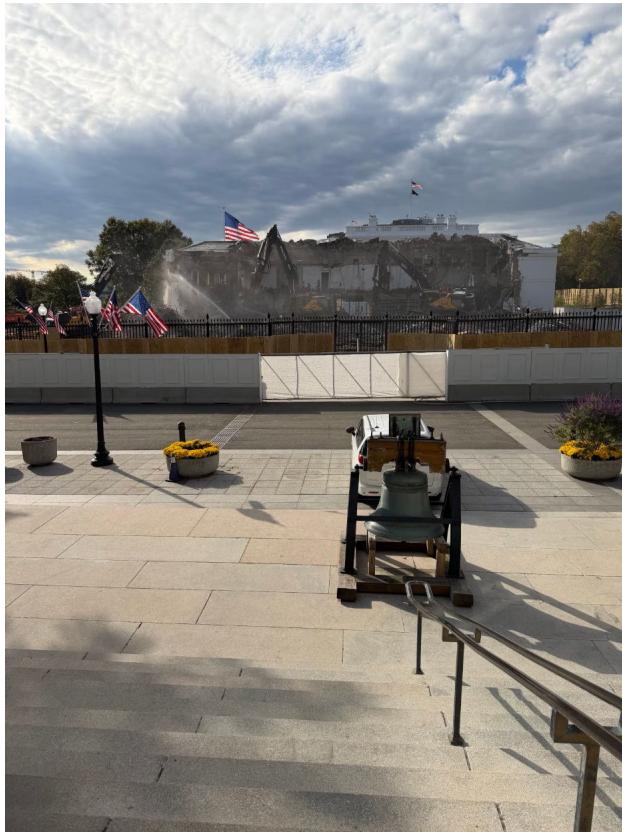


Figure 3 – View from Pennsylvania Avenue of active demolition of the East Wing, with excavators tearing into the structure behind security fencing, water spray controlling dust, and American flags lining the foreground walkway. The Washington Post.

26. Despite a [request from Massachusetts Senator Ed Markey](#), the White House provided no details on whether the construction debris from the demolition had been tested for the presence of asbestos and, if so, whether the contaminated debris was sent to a disposal site equipped to manage asbestos waste.

27. According to the Washington Post, the East Wing demolition was carried out by ACECO, a company that bills itself as “the premier demolition contractor in the D.C. area.” ACECO’s Website states that “[w]e coordinate asbestos and lead-based paint abatement through partnerships with qualified, licensed service subcontractors, ensuring that every project meets the highest safety and compliance standards.” However, ACECO did not respond to

questions from the Post and Senator Markey about the procedures and precautions for asbestos abatement that were implemented during the East Wing demolition. Instead, ACECO Chair Michael Citren directed Markey's questions to the White House, adding that "our contract requires all information regarding this project to be held in the strictest confidence."

28. According to Mr. Stanwich's declaration, following the completion of above grade structural demolition of the East Wing and East Colonnade, below grade structural demolition continued but was "expected to be completed during December 2025."

29. [ABC News' October 30, 2025 story reported that](#), according to a White House official and other sources, the "White House is requiring at least some of the construction workers tasked with demolishing the East Wing to sign non-disclosure agreements barring them from discussing their work."

30. [In his November 5, 2025 testimony to the Senate HELP Committee](#), Brent Booker, General President, Laborers' International Union of North America ("LIUNA"), testified that "This administration chose to use a non union workforce to go do that on a union project." He used it as an example of why federally backed projects need strong labor standards and enforcement of safety regulations.

THE HAZARDS OF ASBESTOS

31. For over a century, asbestos has been known to cause widespread disease and death. In a monograph on asbestos published in 2012, the International Agency for Research on Cancer ("IARC") found asbestos exposure to be causally related to lung cancer, malignant mesothelioma, ovarian cancer, and cancer of the larynx in humans.¹ There is evidence of causal

¹ IARC. Monograph 100C: Asbestos (Chrysotile, Amosite, Crocidolite, Actinolite and Anthophyllite), Lyon: International Agency for Research on Cancer (2012).

associations with gastrointestinal cancers and kidney cancer. Non-malignant diseases caused by asbestos include asbestosis and asbestos-related pleural thickening.

32. "There is general agreement among scientists and health agencies . . . [that] [e]xposure to any asbestos type (i.e., serpentine [chrysotile] or amphibole) can increase the likelihood of lung cancer, mesothelioma, and nonmalignant lung and pleural disorders."²

33. The human cost of asbestos exposure has been staggering and the death toll enormous. From 1991 to 2017, more than one million Americans died from preventable asbestos-caused diseases.³ The American Thoracic Society has stated that "[a]sbestos has been the largest single cause of occupational cancer in the United States and a significant cause of disease and disability from nonmalignant disease."⁴ Although asbestos use has declined, asbestos deaths – calculated to be over 40,000 per year in the US⁵ – remain high, demonstrating that millions of Americans continue to be exposed to asbestos.

² Agency for Toxic Substances and Disease Registry U.S. Department of Health & Human Services. Toxicological Profile for Asbestos (2001).

³ http://ghdx.healthdata.org/gbd-results-tool?params=gbd-api-2017_permalink/535c35ab1fc10471f721c9b58eecd3c2

⁴ <https://www.atsjournals.org/doi/full/10.1164/rccm.200310-1436ST>

⁵ S. Furuya, O. Chimed-Ochir, K. Takahashi, A. David, and J. Takala, "Global Asbestos Disaster," *International Journal of Environmental Research and Public Health*, vol. 15, no. 5, p. 15, 2018.

FEDERAL ASBESTOS ABATEMENT REGULATIONS FOR DEMOLITIONS



Figure 4 – Aerial view of the White House complex showing the West Wing, Oval Office, South Lawn, North Lawn, U.S. Treasury, and the former East Wing site marked as demolished to make way for a state ballroom. The Washington Post.

34. Because of the extensive use of asbestos in building construction for several decades, repair, renovation and demolition of existing structures are a major pathway of asbestos exposure by construction workers, building occupants and bystanders. Assuring the safe removal and disposal of asbestos fibers during these activities has been a high priority of federal, state and local regulatory agencies.

35. EPA's Asbestos National Emission Standards for Hazardous Air Pollutants ("NESHAP"), codified at 40 CFR Part 61, Subpart M, impose mandatory nationwide practices

and protections to prevent the release of asbestos fibers during renovation and demolition activities.

36. Key requirements of the NESHAP regulations include:

- Before any demolition or renovation, the owner/operator must conduct a thorough inspection of the affected area to identify the presence, location, and quantity of regulated asbestos-containing material (RACM).
- Advance written notification must be given to the delegated state/local authority before any demolition, regardless of asbestos content.
- Specific abatement practices must be followed to minimize fiber release:
 - All RACM must be removed before demolition unless the building is structurally unsound or unsafe.
 - RACM must be adequately wet during removal, handling, and disturbance to prevent visible emissions.
 - RACM must be sealed in leak-tight containers while wet.
 - No visible emissions are permitted during collection, processing, or packaging.
- Asbestos-containing waste must be properly containerized, labeled, and transported to an approved waste disposal site.
 - Waste includes RACM, contaminated materials, disposable equipment, and clothing.
- Owners/operators must maintain:
 - Inspection reports
 - Waste shipment records
 - Notifications
 - Documentation of work practices
- These records must be available for EPA or state inspection.
- Both the building owner and demolition contractor are responsible for compliance with all NESHAP requirements.

37. Separately, DOL's OSHA has promulgated asbestos standards for the construction industry, codified at 29 CFR §1926.1101. These regulations impose additional requirements for the protection of workers from asbestos exposure during building repairs, renovations and demolitions, including the following:

- Any asbestos-related construction work with potential exposure is covered; there is no quantity threshold.
- Employers must comply with asbestos permissible exposure limits (“PEL”): 0.1 f/cc time weighted average; 1.0 f/cc/30 min excursion limit.
- Compliance with these limits must be achieved by engineering controls and/or respirators and other personal protective equipment (PPE).

- Employers must conduct monitoring to demonstrate compliance with exposure limits
- Demarcated regulated areas must be established wherever asbestos work may expose workers above limits.
- Warning signs are required for every regulated area to alert workers to asbestos hazards.
 - Specific mandatory wording is necessary on both warning signs (posted at regulated areas) and labels (placed on asbestos-containing materials and waste).
 - For example, signs posted at regulated areas must contain the following wording:

DANGER ASBESTOS CANCER AND LUNG DISEASE HAZARD
AUTHORIZED PERSONNEL ONLY RESPIRATORS AND
PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA
- Asbestos waste must be:
 - Collected promptly
 - Kept adequately wet (when applicable)
 - Placed in sealed, impermeable, labeled containers
 - Handled in a way that prevents fiber release
- Because disposal activities can generate airborne fibers, OSHA requires:
 - Respiratory protection
 - Protective clothing
 - Regulated areas
 - Competent person oversight
- Working training by competent persons and medical surveillance are required
- Employers must create and retain records of compliance

38. In practice, OSHA and EPA regulations are designed to be complementary and to be implemented at construction sites in a coordinated manner.

39. These regulations govern asbestos abatement at federally owned buildings as well as commercial and industrial sites.

40. According to detailed guidance issued by EPA on June 8, 2012, “[w]hen federal agencies demolish buildings at federal facilities, they are subject to the Asbestos NESHAP requirements . . . Under the Clean Air Act, federal agencies are subject to, and must comply with, all federal, state, interstate, and local requirements respecting the control and abatement of air pollution, in the same manner and to the same extent as any nongovernmental entity.”

41. A December 16, 2024 [directive issued by GSA](#) similarly confirms that OSHA asbestos requirements (29 CFR §1910.1001 and 29 CFR §1926.1101) apply to all federally owned facilities under GSA jurisdiction and govern asbestos work in federal buildings.

DISTRICT OF COLUMBIA ASBESTOS ABATEMENT REGULATIONS

42. Most day-to-day implementation of OSHA and EPA asbestos abatement regulations is conducted by state and local governments subject to federal oversight.

43. The District of Columbia has enacted its own asbestos abatement regulations for repair, renovation and demolition sites within the District where asbestos is present. Title 20 DCMR Ch. 8, Asbestos Abatement and Control. Implementation of these regulations is the responsibility of the DC Department of Energy and Environment (“DOEE”).

44. The D.C. asbestos regulations incorporate by reference nearly all provisions of EPA asbestos NESHAP and the OSHA asbestos standards for the construction industry. In addition, D.C. requires an Asbestos Abatement Permit for most regulated asbestos-containing material (“RACM”) removal. Contractors must submit a notification package online via the DOEE Asbestos ePermitting System. DOEE must receive the notification at least 10 working days before abatement begins.

45. Under the regulations, only licensed asbestos abatement contractors may obtain a permit. To qualify for a license, contractors must complete EPA-accredited asbestos abatement training.

46. In informal discussions, DOEE staff indicated to ADAO counsel that asbestos abatements at federally owned structures in the District of Columbia must comply with D.C. regulations, including permitting and licensing requirements.

47. On November 4, 2025, ADAO submitted a request to DOEE under D.C. FOIA regulations for asbestos abatement permits issued by DOEE from January 1, 2025, through December 31, 2025 for the East Wing demolition.

48. In its November 17, 2025 response, DOEE produced two permit notifications, dated February 14, 2025 and April 25, 2025, for asbestos abatement work performed at the White House Executive Residence. As described in a December 1, 2025 article in Greenwire, an E&E News publication, the permits “detail the location of the activities and what kind of asbestos material was determined to be present, as well as where contractors would dispose of the material. In one case, asbestos was located in floor tile in an office. In another instance, it was present in glue, pipe gaskets and insulation in the White House air conditioning system.”

49. However, the DOEE FOIA response did not include any permit notifications or other documents for asbestos abatement related to the October 2025 East Wing demolition. Accordingly, in its December 1 article, Greenwire reported that the “Trump administration never obtained a permit from Washington to identify and remove asbestos before it tore down the White House's East Wing in October.”

RELEVANT PROVISIONS OF FOIA

50. FOIA requires federal agencies to respond to public requests for records, including files maintained electronically, to increase public understanding of the workings of government and to provide access to government information. FOIA reflects a “profound national commitment to ensuring an open Government” and agencies must “adopt a presumption in favor of disclosure.” Presidential Mem., 74 Fed. Reg. 4683 (Jan. 21, 2009).

51. FOIA requires agencies to determine within twenty working days after the receipt of any FOIA request whether to comply with the request. 5 U.S.C. § 552(a)(6)(A)(i). Agencies may

only extend this time period for an additional ten working days in “unusual circumstances.” 5 U.S.C. § 552(a)(6)(B)(i). FOIA also provides that upon request, agencies are to make records “promptly available.” 5 U.S.C. § 552(a)(3)(A).

52. When responding to a FOIA request, the agency must provide its “determination of whether or not to comply with the request[,] the reasons for its decision[,]” and if the decision is adverse, notice of the requestor's right “to appeal to the head of the agency.” 5 U.S.C. § 552(a)(6)(A)(i).

53. Once the agency responds, “the FOIA requestor must appeal to the head of the agency” before bringing suit. *Id.* The agency must then make a determination on the appeal within twenty days. 5 U.S.C. § 552(a)(6)(A)(ii).

54. However, a requestor “shall be deemed to have exhausted his administrative remedies with respect to [a] request if the agency fails to comply with the applicable time limit provisions” and the requestor files suit. 5 U.S.C. § 552(a)(6)(C)(i). In such cases, the court has jurisdiction to order the agency to comply with the request and may consider the request *de novo*.

ADAO'S FOIA REQUESTS FOR RECORDS OF ASBESTOS ABATEMENT AT THE EAST WING

55. [On October 23, 2025, Linda Reinstein, ADAO's President, wrote to President Trump](#) demanding the immediate public release of all environmental and occupational-safety documentation associated with the East Wing demolition. The letter copied 13 officials of the White House, Executive Office of the President, federal agencies and departments, historic preservation oversight bodies, and the District of Columbia. It requested comprehensive records on the presence of asbestos and other hazardous substances in the East Wing, all abatement activities, and procedures employed to protect construction workers, White House

staff and visitors and passersby from unsafe exposure to asbestos and other hazardous substances. No response to the letter was received.

56. On November 5, 2025, ADAO filed comprehensive FOIA requests with nine federal offices and agencies with possible involvement in the East Wing demolition. Each of these requests sought “copies of asbestos abatement permits issued for the East Wing demolition and all related records that refer, relate to, address, document or reflect:

1. Any “hazardous material abatement” conducted in relation to the East Wing renovation.
2. The “abatement and remediation assessment” that was performed and how that assessment was “followed.”
3. All actions that were taken to comply with applicable federal and District Columbia standards, such as the EPA Asbestos NESHAP (40 C.F.R. Part 61, Subpart M), OSHA Asbestos Construction Standards (29 CFR 1926.1101), and District of Columbia Asbestos Control Regulations (Chapter 20-800), including the following:
 - a. Inspection and testing of the East Wing prior to demolition or renovation to identify the presence of asbestos-containing material;
 - b. Asbestos abatement licenses issued to contractors performing asbestos abatement activities for the East Wing;
 - c. Permits issued authorizing asbestos abatement work for the East Wing;
 - d. Notification submissions to licensing and permitting authorities in advance of permit issuance and the commencement of asbestos abatement work;
 - e. Adherence to work practice standards to prevent asbestos emissions and safe removal of asbestos-containing materials, including monitoring of asbestos levels, use of respirators and other personal protective equipment to prevent worker exposure, installation of exhaust ventilation, negative pressure enclosures and glove-bag procedures, wetting all asbestos containing material to prevent airborne releases that could endanger bystanders or workers, and sealing the removed material in leak-tight containers;

- f. Presence of an onsite representative trained in the regulatory provisions and the means of compliance;
- g. Training and education of abatement workers;
- h. Warning signs and physical barriers to prevent bystanders and unauthorized personnel from entering asbestos abatement areas;
- i. Handling, securing and labeling procedures to prevent air releases of removed asbestos while transporting it from the demolition site to an asbestos landfill;
- j. Disposal of asbestos waste at a landfill implementing special requirements for handling and securing the waste to prevent air releases;
- k. Records maintained by contractors, waste shippers, disposal sites and government oversight personnel for all stages of the inspection, abatement and disposal process.

57. ADAO's requests covered "all correspondence, memoranda, meeting notes, Web postings, reports of site visits, presentations, manifests, test data, emails, text messages, instant message chats, and other communications originated by DOEE, federal Executive Branch entities, the District of Columbia government and non-governmental parties, including construction, demolition and asbestos abatement and disposal contractors, testing laboratories, and waste handlers, transporters and management facilities."

58. The only response to these requests that ADAO received was from the General Services Administration ("GSA"). That response, a letter dated November 10, 2025, stated that GSA did not "locate records responsive to your request" and added that "GSA is not involved with the current renovation or construction activity at the White House."

59. Although ADAO received notices of receipt for the remaining FOIA requests, no responses had been received as of the date of the filing of this Complaint.

60. Since over 20 working days have passed without a response to ADAO's requests, it has exhausted its administrative remedies under 5 U.S.C. § 552(a)(6)(C)(i) and is authorized to seek judicial relief under FOIA.

61. Defendants' failure to make determinations on or to produce documents requested in plaintiff's FOIA requests within the time limits set by FOIA is a denial of those requests and wrongful withholding of records in violation of 5 U.S.C. § 552.

RELIEF REQUESTED

WHEREFORE, plaintiff ADAO respectfully requests that this Court enter an order --

- (i) declaring that defendants are wrongfully withholding agency documents requested by plaintiffs in accordance with FOIA;
- (ii) requiring defendants to immediately produce the records responsive to plaintiff's FOIA requests, including all material that is not properly subject to a FOIA exemption;
- (iii) identifying all documents withheld under a FOIA exemption and specify why the exemption applies;
- (iv) maintaining jurisdiction over this action until defendants are in compliance with FOIA and every order of this Court;
- (v) awarding plaintiff attorney fees and costs pursuant to 5 U.S.C. § 552(a)(4)(E); and
- (vi) granting such additional and further relief to which the plaintiff may be entitled.

January 7, 2026:

Respectfully submitted,

/s/ Robert M. Sussman

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