

EPSTEIN – FOIA

3-29-13 – DOJ reversed FBI denial of any disclosure based on application of 5 USC 552(b)(7)(A) finding that the exception to FOIA disclosure was inapplicable as a basis to withhold all records of past investigations

4-25-13 – FBI reopened FOIA request, number 1203982-001, stating it was starting its processing and searching for responsive materials

6-6/7-13 – FBI contacts MGW inviting him on behalf of JE to limit their FOIA request to 2500 pages, stating that such a request could lead to expedited disclosures. MGW authors letter declining this option.

6-24-13 – MGW letter to FBI (David Hardy) confirming JE will pay costs for copying of documents

3-4-14 – S/A Day of FBI informs me that Epstein file over 8000 pages, would be processed 500 pgs at a time, average time for release of large files was 479 days from start of processing

8-8-14 – FBI FOIA DC processes and then sends first 500 pages to Miami FBI to authorize release.

8-18-14 – FBI Liaison Dennis Argill (540 – 868 – 4516) informs MGW that FBI has processed 1st 500 pages and they would be released (specifically had copies 372 pages of first 538 for production), that each successive release would be in 500 page batches occurring every 60 days

8-29-14 – Mr Argill checks and informs me that he had previously told me that Miami FBI has approved the release, but that he was in error, that State has stated it will not object to release, that Miami FBI received documents on Aug 8, but that he has no response as yet from Miami FBI to authorize disclosure. He agreed that DOJ had determined that there could be no withholding of all documents on the ordinary exception of risk of interfering with pending law enforcement case.

9-16-14 – Mr Argill says that FBI Miami has sent file to USAO for their review and comment within the past 7 days, still pending review.

10-8-14 – Mr. Argill out of office. His assistant says there has been no change and that I should discuss expediting review procedures with Mr. Argill

The options are seek expedited relief through DOJ, through Court, or through FBI. DOJ guidelines require:

VI. Expedited Processing

Under certain conditions you may be entitled to have your request processed on an expedited basis. DOJ recognizes four specific standards by which requesters will be afforded expedited processing of a FOIA request or appeal. First, expedited processing will be granted if the lack of expedited treatment could reasonably be expected to pose a threat to someone's life or physical safety. Second, if an individual will suffer the loss of substantial due process rights, expedition is appropriate. In this regard, a request will not normally be expedited merely because the requester is facing a court deadline in a judicial proceeding. Third, expedition will be granted if the request is made by a person primarily engaged in disseminating information to the public and the information is urgently needed to inform the public concerning some actual or alleged federal government activity. Finally, expedition is granted if the subject of the request is of widespread and exceptional media interest and the information sought involves possible questions about the government's integrity which affect public confidence. Decisions to expedite under this fourth standard are made by DOJ's Director of Public Affairs.

A request for expedited processing must be accompanied by a statement setting forth the reasons why your request or appeal should be expedited. You should certify that the reasons you have given are true and correct. The component will be required to notify you of its decision whether to grant or deny expedited processing within ten calendar days after receiving your letter. If the component denies your request for expedited processing, you will be advised of your right to submit an administrative appeal of that denial, which will be handled expeditiously. (For information about filing administrative appeals, see Section X of this Reference Guide.)