

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2020-197**

May 27, 2021

VIA ELECTRONIC MAIL

Ms. Diana Martinez

RE: FOIA Appeal 2020-197

Dear Ms. Martinez:

This letter responds to the administrative appeals 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 the Deputy Mayor for Planning and Economic Development (“DMPED”) failed to respond to your FOIA request.

On April 7, 2020, you submitted a FOIA request “seeking records from the [seven] individuals... [You were] seeking the following types of records or their equivalent record for the fiscal period FY 2017 to Present for [these] individuals...: Emails, Voice messages, Handwritten notes, Employee performance evaluations, Contracts, Procurement Proposals, Petty cash reimbursements, Complaints, Bid Tabs, Grant Award Notices, Grant Agreements, Purchases, Budget documents/plans, Meeting Agendas, Outlook Calendars, Change Orders, Travel Reimbursements, [and] Time Cards.”

Subsequently on April 8, 2020, DMPED requested via electronic mail additional information, including search terms, to assist with the processing of your request. In April 9<sup>th</sup> response, you stated that your “request is meant to be comprehensive...in order to examine operations of this department as a whole.”

You filed your appeal with this Office on May 13, 2020, because you had not received a response to your FOIA request. On June 26, 2020, DMPED filed a response to your appeal.<sup>1</sup> In the response, DMPED indicated its search generated approximately 800,000 emails responsive to your request and that “[t]his portion of your request alone, if left unclarified or narrowed, would take [DMPED] an unreasonable amount of time to review and process.”

Since your appeal only challenged the failure of DMPED to respond to your FOIA request and DMPED has now responded to your request, we dismiss your appeal as moot. However, you may file a new appeal if you are dissatisfied with the agency’s response.

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<sup>1</sup> A copy of the response to your appeal from DMPED is attached to this decision.

This constitutes the final decision of this Office. 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 D.C. Official Code § 2-537.

Respectfully,

Mayor's Office of Legal Counsel

cc: Erika Satterlee, Legislative Director/FOIA Officer  
DMPED (via email)