

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-109**

December 7, 2022

VIA ELECTRONIC MAIL ONLY

Ms. Amy Elizabeth Konigsburg

RE: FOIA Appeal 2022-109

Dear Ms. Konigsburg:

Please accept the following amended response to the administrative appeal that you submitted to the Mayor on March 21, 2022 under the District of Columbia Freedom of Information Act, D.C. Code §§ 2-531, *et seq.* (“DC FOIA”). This decision is intended to update this Office’s decision of December 1, 2022 following the receipt of additional information regarding your appeal.

In your appeal, you challenged the lack of response of the Executive Office of the Mayor (“EOM”) to your August 3, 2021 DC FOIA request, identified as 2021-FOIA-07029, which sought the following:

[A]ll emails to and from by Kenyan R. McDuffie including the subject and all information related to Lewis Crowe Park in Ivy City, NE - on West Virginia and Mt. Olivet and Capitol Ave NE.

Although this Office initially made the determination that EOM constructively denied your request, on the receipt of additional information, that finding is inaccurate. Specifically, it has come to the attention of this Office that on July 14, 2022, EOM advised you that it was not the proper recipient of the request as the named individual was not an EOM employee.

Based on the foregoing, we conclude that EOM properly responded to your FOIA request and we hereby deny your appeal. Additional information may be available, by submitting a DC FOIA request to a Council FOIA Officer.¹

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 DC FOIA.

Sincerely,

Mayor’s Office of Legal Counsel

cc: Tenette Smith, EOM Associate General Counsel (via email)

See (<https://dccouncil.gov/freedom-of-information-act/>) for additional information as to how to submit a FOIA request to the D.C. Council

