

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JESSE COLEMAN,
c/o Public Citizen
1600 20th Street NW
Washington, DC 20009,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
STATE,

The Executive Office
Office of the Legal Adviser
Suite 5.600
600 19th Street NW
Washington, DC 20522,

Defendant.

Civil Action No. 1:20-cv-305

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This action is brought under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to compel the United States Department of State to produce records responsive to a long-outstanding FOIA request for the calendar and resumé of State Department official Melissa Simpson.

JURISDICTION AND VENUE

2. This Court has jurisdiction under 28 U.S.C. § 1331 and 5 U.S.C. § 552(a)(4)(B). Venue is proper under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff Jesse Coleman is a senior researcher with Documented, an organization that researches corporate influence over public policy. Mr. Coleman's work has been featured in

the New York Times, the Washington Post, NPR, and other media outlets. Mr. Coleman submitted the FOIA request at issue in this case.

4. Defendant State Department is an agency of the federal government of the United States and has possession of and control over the records that plaintiff seeks.

STATEMENT OF FACTS

5. On December 14, 2018, plaintiff submitted a FOIA request to the State Department seeking the calendar and resumé (or curriculum vitae) for Melissa Simpson, who currently serves as the Deputy Assistant Secretary for Energy Transformation at the State Department's Bureau of Energy Resources.

6. By letter dated March 6, 2019, the State Department acknowledged receipt of plaintiff's FOIA request. The letter assigned the FOIA request tracking number F-2019-02156.

7. Throughout 2019, plaintiff sought information from the State Department about the status of his FOIA request and was told that the agency could not provide an estimated completion date.

8. On January 15, 2020, plaintiff called the State Department to inquire about the status of his FOIA request and again requested an estimated completion date.

9. On January 17, 2020, the State Department informed plaintiff that the estimated completion date for his FOIA request is June 30, 2022.

10. More than 20 working days have passed since plaintiff submitted his FOIA request, and the State Department has neither made a final determination nor produced any records in response to the request.

11. Plaintiff has exhausted all administrative remedies with respect to his FOIA request for records.

CAUSE OF ACTION

12. Plaintiff has a statutory right under FOIA, 5 U.S.C. § 552(a)(3)(A), to the records he requested, and there is no legal basis for the State Department's failure to disclose them.

PRAYER FOR RELIEF

WHEREFORE, plaintiff requests that this Court:

- (1) Declare that the State Department's withholding of the requested records is unlawful;
- (2) Order the State Department to make the requested records available to plaintiff and without delay;
- (3) Award plaintiff his costs and reasonable attorneys' fees pursuant to 5 U.S.C. § 552(a)(4)(E); and
- (4) Grant such other and further relief as this Court may deem just and proper.

February 5, 2020

Respectfully submitted,

/s/ Nandan M. Joshi

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