



Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, The Nation, Truthout, Al Jazeera English, and Al Jazeera America.

2. Plaintiff Ryan Noah Shapiro is a Ph.D. candidate in the Department of Science, Technology, and Society (HASTS) at the Massachusetts Institute of Technology, as well as a Research Affiliate at the Berkman Klein Center for Internet & Society at Harvard University. Plaintiff is an historian of national security, the policing of dissent, and governmental transparency.

3. Defendant Department of Justice (DOJ) is an agency of the United States.

4. The Federal Bureau of Investigation (FBI) is a component of Defendant DOJ.

5. The FBI has possession, custody and control of the records Plaintiffs seeks.

6. Defendant Central Intelligence Agency (CIA) is an agency of the United States.

7. The CIA has possession, custody and control of the records Plaintiffs seeks.

8. Defendant Office of the Director of National Intelligence (ODNI) is an agency of the United States.

9. ODNI has possession, custody and control of the records Plaintiffs seeks.

10. Defendant Department of Homeland Security (DHS) is an agency of the United States.

11. The Office of Intelligence & Analysis (I&A) is a component of Defendant DHS.

12. I&A has possession, custody and control of the records Plaintiffs seeks.

#### JURISDICTION AND VENUE

13. This action arises under the Freedom of Information Act (“FOIA”), 5 USC § 552.

14. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B).

15. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B).

STATEMENT OF FACTS

16. On December 14, 2016, Plaintiffs submitted FOIA requests to the FBI, CIA, ODNI, and DHS I&A via fax for several categories of records, including, *inter alia*:<sup>1</sup>

- Communications to or from members of the Electoral College and records mentioning or referring to a request by members of the Electoral College to receive information and briefing as to any ongoing investigations into ties between Donald Trump, his campaign or associates, and Russian government interference in the election, the scope of those investigations, how far those investigations may have reached, and who was involved in those investigations.
- Communications to or from Congress or to or from the Democratic National Committee (DNC), the Democratic Congressional Campaign Committee (DCCC), the Democratic Senatorial Campaign Committee (DSCC), the Republican National Committee (RNC), the National Republic Congressional Committee (NRCC), the National Republican Senatorial Committee (NRSC), the Trump campaign, the Clinton campaign, or any other U.S. political organization mentioning or referring to Russian-directed interference with the United States 2016 elections
- Communications to or from Congress or to or from other intelligence agencies mentioning or referring to:
  - a. Crowd Strike
  - b. FireEye
  - c. APT (Advanced Persistent Threat)
  - d. Fancy Bear (also known as Sofacy or APT 28)
  - e. Cozy Bear (also known as CozyDuke or APT 29)
  - f. Guccifer 2.0
  - g. Guccifer20@aol.fr
  - h. DCLeaks
  - i. Феликс Эдмундович (Felix Edmundovich Dzerzhinsky)
  - j. Yandex
  - k. The IP address 95.130.15.34
  - l. The IP address 208.76.52.163
  - m. Elite VPN
  - n. The Smoking Gun
  - o. the actual or alleged compromise or attempt to compromise, or any scanning or probing of: any email account of John Podesta; the iCloud account of John Podesta; any other account of John Podesta; any computer, electronic device, network, or other system of the Democratic National Committee (DNC), the Democratic Congressional Campaign Committee (DCCC), the Democratic

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<sup>1</sup> The summary descriptions of Plaintiffs' FOIA requests in this Complaint are provided only to assist the reader in understanding the nature of the request. The language in the original FOIA requests is controlling.

Senatorial Campaign Committee (DSCC), the Republican National Committee (RNC), the National Republic Congressional Committee (NRCC), the National Republican Senatorial Committee (NRSC), the Trump campaign, or the Clinton campaign; any computer, electronic device, network, or other system of any other U.S. political organization; any email account of Hillary Clinton; any other account of Hillary Clinton; any server or other computer of Hillary Clinton; any Blackberry or other device of Hillary Clinton; any other computer, electronic device, network, or other system of Hillary Clinton; any email account of Billy Rinehart, Jr.; any other account of Billy Rinehart, Jr.; any email account of Sarah Hamilton; any other account of Sarah Hamilton; any email account of Luis Miranda; any other account of Luis Miranda; any email account of Jordan Kaplan; any other account of Jordan Kaplan; or any voting machine

- Talking points, whether in draft or final form, mentioning or referring to allegations of Russian-directed interference with the United States 2016 elections and/or the actual or alleged compromise or attempt to compromise, or any scanning or probing of: any email account of John Podesta; the iCloud account of John Podesta; any other account of John Podesta; any computer, electronic device, network, or other system of the Democratic National Committee (DNC), the Democratic Congressional Campaign Committee (DCCC), the Democratic Senatorial Campaign Committee (DSCC), the Republican National Committee (RNC), the National Republic Congressional Committee (NRCC), the National Republican Senatorial Committee (NRSC), the Trump campaign, or the Clinton campaign; any computer, electronic device, network, or other system of any other U.S. political organization; any email account of Hillary Clinton; any other account of Hillary Clinton; any server or other computer of Hillary Clinton; any Blackberry or other device of Hillary Clinton; any other computer, electronic device, network, or other system of Hillary Clinton; any email account of Billy Rinehart, Jr.; any other account of Billy Rinehart, Jr.; any email account of Sarah Hamilton; any other account of Sarah Hamilton; any email account of Luis Miranda; any other account of Luis Miranda; any email account of Jordan Kaplan; any other account of Jordan Kaplan; or any voting machine
- Internal newsletters, magazines, or other internal publications whether in draft or final form, mentioning or referring to allegations of Russian-directed interference with the United States 2016 elections
- Agency-wide emails mentioning or referring to the agency's actions or position with respect to allegations of Russian-directed interference with the United States 2016 elections

17. The request to the FBI also sought communications from Director Comey to the White House about whether the Obama Administration should publicly accuse Russia of hacking U.S. political organizations.

18. Each of the requests sought expedited processing.

19. As of the filing of this Complaint, Plaintiffs have not received a response from the FBI, CIA, ODNI, or DHS I&A as to whether or not their request for expedited processing will be granted.

20. On December 15, 2016, Plaintiffs submitted a FOIA request to the CIA via fax for:

- White papers, intelligence assessments, memoranda, and/or reports mentioning or referring to any and all actual or alleged Russian-directed interference or attempted interference in 2016 U.S. elections.
- Other records mentioning or referring to any and all white papers, intelligence assessments, memoranda, and/or reports mentioning or referring to any and all actual or alleged Russian-directed interference or attempted interference in 2016 U.S. elections.
- Talking points (in draft or final form), as well as any and all guidance or other instructional records, issued to the CIA's Office of Public Affairs mentioning or referring to any and all white papers, intelligence assessments, memoranda, and/or reports mentioning or referring to any and all actual or alleged Russian-directed interference or attempted interference in 2016 U.S. elections.

21. This request also sought expedited processing.

22. As of the filing of this Complaint, Plaintiffs have not received a response from the CIA as to whether or not their request for expedited processing will be granted.

COUNT I:  
VIOLATION OF FOIA

23. This Count realleges and incorporates by reference all of the preceding paragraphs. All documents referenced in this Complaint are incorporated by reference as if set forth fully herein.

24. Defendants have failed to grant or even rule on Plaintiffs' request for expedited processing.

25. Plaintiffs are deemed to have exhausted their administrative remedies because over 10 calendar days have elapsed without a determination as to whether or not they are entitled to expedited processing.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- (1) Declare Defendant's failure to comply with FOIA to be unlawful;
- (2) Order Defendants to immediately process Plaintiffs' FOIA requests;
- (3) Grant Plaintiffs an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i);
- (4) Grant Plaintiffs such other and further relief which the Court deems proper.

Respectfully Submitted,

/s/ Jeffrey Light

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